

Appendix 3

93d Congress }
1st Session }

SENATE

REPORT
No. 93-466

QUESTIONS RELATED TO SECRET AND CONFIDENTIAL
DOCUMENTS

OCTOBER 12, 1973.—Ordered to be printed

REPORT

of the

SPECIAL COMMITTEE TO STUDY QUESTIONS RELATED TO SECRET
AND CONFIDENTIAL GOVERNMENT DOCUMENTS

In accordance with the provisions of S. Res. 13, the Special Committee to Study Questions Related to Secret and Confidential Documents submits the following report and recommendations.

The Committee was aided in its work by the Legislative Reference Service of the Library of Congress and wishes to commend Mr. Robert Lauck and Mr. David Sale of that service for their contributions.

This report covers questions relating to (1) access to classified information by Members of Congress, (2) legal rights of an individual Senator with respect to classified documents in his possession, (3) legal rights of a Senate Committee with respect to classified documents in its possession, (4) legal rights of individual members with respect to documents on information received from foreign emissaries, (5) the declassification of documents in the possession of an individual member, (6) pending bills and proposals for Congressional machinery to oversee classified information matters and (7) recommendations by the Committee.

I. ACCESS TO CLASSIFIED INFORMATION BY MEMBERS OF CONGRESS

The Freedom of Information Act (FOIA), Pub. L. 89-487, 80 Stat. 250, 5 U.S.C. 552, amending the Administrative Procedure Act, (5 U.S.C. 551, *et seq.*), enunciates a policy of public disclosure and access to information generated by Federal agencies.

Beginning with the access problem in the context of the Freedom of Information Act, the first two questions are: (1) What limitations are provided by the Act on public disclosure of classified information? and, (2) do these limitations apply to Members and committees of Congress?

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that decision might have been." The Committee suggests that the machinery be set up for questioning in an orderly manner these executive decisions to classify for reasons of National security, and we urge the Government Operations Committee to give priority consideration to bills now pending before it and discussed herein designed to accomplish this objective. We make no detailed evaluation of these bills, leaving that to the judgment of the substantive committee but urge that a complete overhaul of the classification system be undertaken at the earliest possible time.

II. The question of procedures to be followed by a member who has classified documents in his possession, prior to his disclosure of those documents, was discussed by the Committee.

The Committee recommends that individual members who have such documents and wish to disclose them, consult with the Senate Ethics Committee prior to such disclosure.

The Committee wishes to make it clear that although it recommends consultation with the Ethics Committee, any determination by the Ethics Committee would not be binding on the member. The reason for the recommendation of consultation is to permit a member the opportunity of getting the additional thinking and precedents available to him before making a final decision regarding disclosure.

III. At the request of Senator Cranston, the Committee discussed providing the Senate the overall sums requested for each separate intelligence agency. The release of such sums would provide members with the minimal information they should have about our intelligence operations. Such information would also end the practice of inflating certain budget figures so as to hide intelligence costs, and would insure that all members will know the true cost of each budget item they must vote upon.

Accordingly, the Committee recommends that the Appropriations Committee itemize in the Defense Department Appropriations bill the total sums proposed to be appropriated for intelligence activities by each of the following agencies: Central Intelligence Agency, Defense Intelligence Agency, National Security Agency, National Reconnaissance Office and any separate intelligence units within the Army, Navy, and Air Force. The Committee does not request that any line items be revealed.

The Committee also recommends that the committee reports indicate the total number of personnel to be employed by each of the above agencies. The Committee does not request any information about their duties.

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from the Rockefeller Commission report

CIA activities;² the amount of information provided does not always correspond with that available to Congress in other sensitive areas.

In sum, congressional oversight of the CIA has been curtailed by the secrecy shrouding its activities and budget. At least until quite recently, Congress has not sought substantial amounts of information of a sensitive nature. Correspondingly, the CIA has not generally volunteered additional information.

There have been occasional efforts to extend congressional oversight of CIA activities. Since 1967, three members of the Senate Foreign Relations Committee have been invited to attend intelligence briefings given to the Senate oversight subcommittees, but these briefings do not identify specific CIA operations.

In addition, certain members of Congress have proposed more intensive congressional oversight over the CIA. These proposals have usually been defeated.

In January 1955, Senator Mansfield (Democrat-Montana) introduced a resolution to establish a Joint Committee on Central Intelligence; it was defeated 50 to 27. In 1966, the Senate Foreign Relations Committee proposed a Senate Committee on Intelligence Operations; the proposal was defeated 61 to 28. However, the Hughes Amendment to the Foreign Assistance Act of 1974 prohibits CIA expenditure of funds "for operations in foreign countries, other than intelligence activities intended solely for obtaining necessary intelligence" unless the President determines that it is "important to the national security" and reports the operation to the "appropriate committees of the Congress, including the Committee on Foreign Relations of the United States Senate and the Committee on Foreign Affairs of the United States House of Representatives." Both the Senate and House recently formed select committees with temporary charters to investigate the activities of all intelligence agencies.

2. General Accounting Office

The General Accounting Office (GAO) is responsible for making accounting and auditing reports to the Congress. It studies the efficiency, propriety, and legality of executive agency operations and conducts financial audits on its own initiative or at the request of a member or committee of Congress.

The CIA Act of 1949 authorizes the Director of Central Intelligence to make confidential (unvouchered) payments; these payments, constituting approximately one half of total CIA spending, are beyond

² A compilation from CIA files of its contacts with Congress shows that over a five-year period (1967-1972) the CIA averaged 39 briefings of congressional committees or subcommittees per year and 81 briefings of individual members of Congress per year.

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B. Control by the Congress

1. Congressional Committee Oversight

The armed services committees of Congress have exclusive legislative jurisdiction over any bill, other than for appropriations, whose primary focus is on the CIA. These committees, therefore, exercise primary congressional policymaking control over the CIA. Each has delegated this authority over CIA matters to an intelligence subcommittee. The House subcommittee has seven members (and the approximate equivalent of one and one-half full-time professional staff members). The Senate subcommittee has five members (with a staff of similar size).

Although not involved in the appropriation process, these subcommittees also receive CIA budget information supplied to the appropriations subcommittees.

Since there has been no substantive CIA legislation since 1947, the role of these intelligence subcommittees has generally been to exert policy-making influence informally through personal discussions with the Director of Central Intelligence.

The appropriations committees also examine CIA activities in reviewing CIA budget requests. Both appropriations committees rely on subcommittees to perform this task. The information submitted to congressional oversight subcommittees on the CIA budget is identical to that submitted to OMB. It is considered in secret sessions of the subcommittees (whose chairmen are also chairmen of the parent committees) but is not revealed to the full committee membership or the Congress as a whole.

There has been little further discussion in Congress (outside of the oversight committees) of the CIA's budget or activities except when they otherwise become matters of public discussion. After the CIA appropriation is passed, the chairmen of the appropriations subcommittees retain limited de facto fiscal control over the CIA. Before any of its contingency reserve fund is spent, they are consulted. On the other hand, the CIA is not required to notify Congress before shifting appropriated funds from one program to another.

Neither the members of the oversight committees nor other members of Congress have generally received detailed information on CIA operations. Public hearings are not held. Although secret hearings are held, they are confined by the scope of the information made available. While it appears that the subcommittees or at least their leaders and the leaders of Congress have been informed of major

Recommendation (3)

The President should recommend to Congress the establishment of a Joint Committee on Intelligence to assume the oversight role currently played by the Armed Services Committees.³



Recommendation (4)

Congress should give careful consideration to the question whether the budget of the CIA should not, at least to some extent, be made public, particularly in view of the provisions of Article I, Section 9, Clause 7 of the Constitution.⁴

Recommendation (5)

a. The functions of the President's Foreign Intelligence Advisory Board should be expanded to include oversight of the CIA. This expanded oversight board should be composed of distinguished citizens with varying backgrounds and experience. It should be headed by a full-time chairman and should have a full-time staff appropriate to its role. Its functions related to the CIA should include:

1. Assessing compliance by the CIA with its statutory authority.
2. Assessing the quality of foreign intelligence collection.
3. Assessing the quality of foreign intelligence estimates.
4. Assessing the quality of the organization of the CIA.
5. Assessing the quality of the management of the CIA.
6. Making recommendations with respect to the above subjects to the President and the Director of Central Intelligence, and, where appropriate, the Attorney General.

³ Commissioner Griswold adds the following statement:

"The assignment given to the Commission relates only to the domestic activities of the CIA. But the problems which have arisen in the domestic field cannot be fully understood and evaluated unless they are viewed against the role which the CIA has undertaken to play outside the United States. Because of the secret nature of its operations, legal and moral limitations may not always be kept in mind. In this situation, it should not be surprising that personnel, when working in the United States, should not always feel that they are subject to ordinary restraints."

"Congress should, in my opinion, decide by law whether and to what extent the CIA should be an action organization, carrying out operations as distinguished from the gathering and evaluation of intelligence. If action operations were limited, there would be a lessened need for secrecy, and the adverse effect which the activities of the CIA sometimes have on the credibility of the United States would be modified."

"One of the great strengths of this country is a deep and wide-ranging capacity for goodwill. Those who represent us, both at home and abroad, should recognize the potentiality of that goodwill and take extreme care not to undermine it, lest their efforts be in fact counterproductive to the long-range security interests of the United States."

⁴ "No money shall be drawn from the Treasury, but in consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

7. Kirkpatrick, Schuyler, Coyne Report (April 1962): A study of the organization and activities of the CIA and its relationship with other agencies in the intelligence community.

8. Katzenbach Report (March 1967): A review of the relationships between government agencies and educational and voluntary organizations which operate abroad.

9. Lindsay Report on Covert Operations of the U.S. Government (December 1968): A study of supervision by Congress and within the CIA of covert operations.

10. OMB Report (Schlesinger Study of the Intelligence Community) (March 1971): A study of the organization of the intelligence community and its cost-effectiveness.

Most recommendations have focused on the organization of the intelligence community and were precluded to a reorganization. The Katzenbach Report ended CIA funding of educational and voluntary organizations. The issue of CIA activities within the United States was not given major attention by any other of these review panels.

Conclusions

Some improvement in the congressional oversight system would be helpful. The problem of providing adequate oversight and control while maintaining essential security is not easily resolved. Several knowledgeable witnesses pointed to the Joint Committee on Atomic Energy as an appropriate model for congressional oversight of the Agency. That Committee has had an excellent record of providing effective oversight while avoiding security leaks in a highly sensitive area.

One of the underlying causes of the problems confronting the CIA arises out of the pervading atmosphere of secrecy in which its activities have been conducted in the past. One aspect of this has been the secrecy of the budget.

A new body is needed to provide oversight of CIA within the Executive Branch. Because of the need to preserve security, the CIA is not subject to the usual constraints of audit, judicial review, unlimited publicity, or open congressional budget review and oversight. Consequently, its operations require additional external control. The authority assigned the job of supervising the CIA must be given sufficient power and significance to assure the public of effective supervision.

The situation whereby the Agency determined whether its own employees would be prosecuted must not be permitted to recur.

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House conferees, even if it did not sur-
the conference, we would be at least
ointing something that needs to be
emphasized in this day and age, because
one day we will have to convert from
war to peace, prayerfully and hopefully.
The big question is, How do we do it?
Do we just sit back and say, "Well, we
will just wait and see what the Govern-
ment is going to do about it?"

With reference to the Rhode Island
situation, we tried to go down and see
the President for a long time and we
could not do it. We were told the day
before the order came out cutting our
installations. Only the day before did
we know it. I tried to find out from Mr.
Kissinger. I tried to find out from Mel-
vin Laird. I tried to find out from Ad-
miral Zumwalt. I tried to find out from
the President. None of them told us what
was going to happen to Rhode Island.
We never knew of it until the axe came
down and chopped off our economic
head. I say that is disgraceful. I repeat,
we are not over the agony yet.

Mr. President, I am very amenable to
this amendment for the reasons I have
stated. I realize this is not the complete
answer. I realize it may not survive the
conference. But surely the Senate ought
to express its sentiment.

It is not going to affect my State a
great deal. It may affect one or two
plants. Perhaps we can reconvert them
without Federal help. But the time has
come when we have to think about these
ings in advance, and not, after the
fact, get up on the floor and propose to
extend unemployment compensation,
and have a silly retraining-for-jobs pro-
gram, without knowing what jobs they
are going to give these people after they
are trained. This is something that has
to be done in advance.

I would hope such a proposal would
receive serious consideration. I can say
this as one who has depended on the
Pentagon and the Defense Department.
I am one who has not always agreed
with the Senator from South Dakota
(Mr. McGovern) with reference to some
of the cuts he wanted to make in de-
fense. I have been on the side of the Sen-
ator from Mississippi (Mr. Stennis) and
the Senator from South Carolina (Mr.
Thurmond) more than I have been on
the side of the Senator from South Da-
kota, but this proposal ought to be given
serious consideration, and I am going to
vote for it.

The PRESIDING OFFICER. Who
yields time?

Mr. STENNIS. Mr. President, I yield
myself 1 minute.

I appreciate very much the problem
Rhode Island had at a time when I was
not active. I read about it in the news-
papers, and it had my interest, and I
remember the vigor with which the
Senator from Rhode Island and his col-
league opposed it. They did everything
anyone could do to try to alleviate that
situation. But with all deference to my
friends, I do not believe such an amend-
ment on this bill is a solution to the
problem. I think, legislative-wise, it
would be better to take the route that all

far-reaching legislation should take. I
think, a full development of all the facts
to give the Congress a choice among
alternatives, if it has alternatives before
it, is the best way to do it.

I hope we can keep this bill a military
authorization bill, as I explained before,
and get it into law as soon as we can,
and pave the way for appropriations. I
know that if the authorization commit-
tees do not meet those time demands,
our work is going to be brushed aside.

The PRESIDING OFFICER. The time
of the Senator has expired.

Mr. STENNIS. I yield myself 1 addi-
tional minute.

And the appropriations will be made
whether there is an authorization or not,
and we will be helpless to do anything
about it.

I think we do render a service—I am
sure my colleagues agree—through these
authorization bills.

So let us keep it what it is to begin
with—an authorization bill for military
hardware and manpower for the en-
suing year.

Mr. President, I yield the floor. I will
yield anytime any Senator wishes.
Otherwise I am willing to yield back the
time.

The PRESIDING OFFICER. The Sen-
ator from Mississippi has 12 minutes re-
maining. The Senator from South
Dakota has 5 minutes remaining.

Mr. THURMOND. Mr. President, so
far as we are concerned on this side, we
are willing to yield back our time if the
Senator from South Dakota is so willing.

Mr. McGOVERN. Mr. President, under
those circumstances, I am willing to
yield back the remainder of my time.

The PRESIDING OFFICER. All time
having been yielded back, the question
is on agreeing to the amendments num-
bered 1347 by the Senator from South
Dakota (Mr. McGovern). The yeas and
nays have been ordered, and the clerk
will call the roll.

The legislative clerk called the roll.
Mr. ROBERT C. BYRD. I announce
that the Senator from California (Mr.
CRANSTON), the Senator from Arkansas
(Mr. FULBRIGHT), the Senator from
Michigan (Mr. HART), the Senator from
Indiana (Mr. HARTKE), the Senator from
Maine (Mr. HATHAWAY), the Senator
from Kentucky (Mr. HUDDLESTON), the
Senator from Hawaii (Mr. INOUE), the
Senator from Massachusetts (Mr. KEN-
NEDY), the Senator from Wyoming (Mr.
McGEE), the Senator from Utah (Mr.
MOSS), the Senator from Alabama (Mr.
SPARKMAN), and the Senator from Cali-
fornia (Mr. TUNNEY) are necessarily ab-
sent.

I also announce that the Senator from
Missouri (Mr. SYMINGTON) is absent be-
cause of illness.

Mr. GRIFFIN. I announce that the
Senator from Oklahoma (Mr. BALLMON),
the Senator from Tennessee (Mr. BROCK),
the Senator from New York (Mr. JAVITS),
the Senator from Oregon (Mr. PACK-
WOOD), and the Senator from Delaware
(Mr. ROHN) are necessarily absent.

The result was announced—yeas 27,
nays 55, as follows:

Abourezk
Bayh
Biden
Brooke
Church
Clark
Gravel
Hatfield
Hughes

Aiken
Allen
Baker
Bartlett
Beall
Bennett
Bentsen
Bible
Buckley
Burdick
Byrd
Harry P. Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cock
Cotton
Curtis

Bellmon
Brock
Cranston
Fulbright
Hart
Hartke

[No. 223 Leg.]

YEAS—27

Humphrey
Jackson
Long
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Metcalfe

NAYS—55

Mondale
Montoya
Muskie
Nelson
Pastore
Pell
Ribicoff
Schweiker
Williams
Metzenbaum
Nunn
Pearson
Percy
Proxmire
Randolph
Scott, Hugh
Scott
William L.
Stafford
Stennis
Stevens
Stevenson
Taft
Talmadge
Thurmond
Tower
Welcker
Young

NOT VOTING—18

Hathaway
Huddleston
Inouye
Javits
Kennedy
McGee
Moss
Packwood
Roth
Sparkman
Symington
Tunney

So Mr. McGOVERN's amendment (No.
1347) was rejected.

Mr. STENNIS. Mr. President, I move
to reconsider the vote by which the
amendment was rejected.

Mr. THURMOND. I move to lay that
motion on the table.

The motion to lay on the table was
agreed to.

AMENDMENT NO. 1369

The PRESIDING OFFICER (Mr.
ABOUREZK). Under the previous order,
the Senate will now proceed to the con-
sideration of the amendment (No. 1369)
offered by the Senator from Wisconsin
(Mr. PROXMIRE), which the clerk will
state.

The assistant legislative clerk read as
follows:

At the appropriate place in the bill in-
sert a new section as follows:

Sec. —. On or before March 1 each year
the Director of Central Intelligence shall
submit an unclassified written report to the
Congress disclosing the total amount of
funds requested in the budget, transmitted
to the Congress pursuant to section 201 of
the Budget and Accounting Act of 1921 (31
U.S.C. 11), for the national intelligence pro-
gram for the next succeeding fiscal year.

The PRESIDING OFFICER. The time
for debate on this amendment shall be
limited to 3 hours, to be equally divided
between and controlled by the mover of
the amendment and the manager of the
bill, with 30 minutes on any amendment
in the second degree.

Mr. PROXMIRE. Mr. President, I ask
for the yeas and nays.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, be-
fore I yield to the distinguished Senator
from Mississippi, which I shall do in a
moment, I would like to call the atten-
tion of the Senate, while some Senators
are still on the floor, to the fact that
what this amendment does is provide a

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part of what has been requested by Senators SCOTT and MANSFIELD of Senator McCLELLAN when they wrote him last November, and what, in my judgment, Senator McCLELLAN said then he would like to do if he can. I shall just read that letter, and then leave the matter in the hands of the Senator from Mississippi. This is the letter dated November 15, 1973, signed by the majority and minority leaders:

As Co-chairmen of the Senate Select Committee on Secret and Confidential Documents, we wish to call your attention to one of the major recommendations which our Committee made with respect to the operations of the various intelligence agencies. Specifically, it was agreed that the Senate should be provided with the over-all sums requested for each agency. We believe that the release of this limited information will be useful to the Senate in maintaining the necessary support for our intelligence operations.

We do wish to reiterate that the Committee did not recommend the disclosure of any particular intelligence activity or any other such detailed matters, which continue to remain, and properly so, under your jurisdiction.

I have talked with the majority leader this morning, and he said it was his construction that that would mean the overall figure would be made available publicly. The response of Senator McCLELLAN dated November 20, was as follows:

DEAR SENATOR: I have your letter of November 15 and want you to know that I intend to comply, as fully as possible, with the recommendation of the Senate Select Committee on Secret and Confidential Documents to provide the Senate with the over-all sums requested for each of the various intelligence agencies.

Mr. President, the purpose of the amendment which I am offering now is to provide that the overall figure for the intelligence community as a whole, not broken down but the overall figure, would be made available, so that the taxpayers of this country would have some idea of how much, how many billions of dollars—and it is billions of dollars—are going for intelligence efforts by our Government.

Now, Mr. President, I yield to the Senator from Mississippi—

Mr. STENNIS. On my time.

Mr. PROXMIRE. Yes. I yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator. I take 2 minutes of my time first to emphasize to Senators present the overwhelming importance of this amendment and the far-reaching effect it would have if passed and enacted into law.

When we disclose—and I speak as one who, for years, has had to take care of a lot of keeping up with this problem—and it is no fun—if we disclose the amount of money spent on this effort, which includes the CIA, then we give to our adversaries all over the world, present and future, a true index as to what our activities are. There are deductions that can be made from our figures which could lead them along the path of information which would be priceless to them to know.

True, we are an open society and, so far, we have been able to carry on an

intelligence program effectively which has been worth to us billions and billions and billions of dollars in savings. But, if we are going to abandon the idea of keeping these figures from being disclosed, then, in my humble opinion, we might as well abolish the agency. It would be like saying, in effect, that we do not want this secret intelligence after all, that we do not need it, and that we will abandon it.

We will pay an awful price for that. I am familiar with the CIA budget. I can satisfy most any Senator in the cloakroom, talking to him some about this, but I will publicly say that it is a clean budget and they have justified many times over the expenditure of the money.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Mississippi.

Mr. President, how much does the United States spend each year on the intelligence budget? Except for a small handful of Senators and Congressmen, nobody knows, at least in this country.

My amendment would end this ignorance and allow the Congress to reassert its fiscal control over the largest budget currently unavailable to public or congressional scrutiny.

The amendment requires that on or before March 1 each year the Director of Central Intelligence shall submit an unclassified written report to the Congress disclosing the total amount of funds requested in the budget for the national intelligence program for the next succeeding fiscal year.

It is as simple as that. Each year the Director of Central Intelligence adds up the combined budgets of the intelligence community and supplies that figure to Congress in an unclassified form.

No longer would we be operating in darkness. For the first time we would have hard budgetary facts. Granted, it would only be one figure each year, but that is enough to tell us the relative size of that budget.

At present, we do not know if the national intelligence program budget is \$1 billion of \$10 billion. We do not know if it went up 200 percent this year, or went down 10 percent. We simply do not know and the consequence of our ignorance is twofold.

First, the intelligence community escapes effective congressional control.

Second, Congress is systematically deceived as to the size of other civilian budgets.

How does that come about?

It comes about because the intelligence budgets, particularly the CIA, are hidden in other budgets that pass through the legislative process. There is intelligence money in this bill before us today.

I don't know how much. Only the Oversight Committee members know that. There are funds in other budgets. It is quite possible that even some of the chairmen of these subcommittees do not know that their budgets contain intelligence funds.

The authority for this sleight of hand resides in the Central Intelligence Act of 1949, section 6 (50 USC 403f).

Section 6 states that the CIA is authorized to transfer to and receive from other Government agencies any money approved by the Bureau of the Budget authorized under the National Security Act of 1947.

According to the Office of Management and Budget, the transfer of funds to CIA under section 6 of the CIA Act is accomplished by the issuance of Treasury documents routinely used for the transfer of funds from one Government agency to another. The amount and timing of these transfers are approved by OMB.

The funds approved for transfer to CIA by OMB are limited to amounts notified to OMB by the chairmen of the Senate and House Appropriations Committees. The specific appropriations accounts from which the funds will be transferred are also determined by this process. Obligations after the transfer are further controlled by OMB through the apportionment process.

In other words, only two men in the entire Congress of the United States control the process by which the CIA is funded.

Mr. President, I ask unanimous consent that my correspondence with Roy L. Ash, Director of OMB be printed in the Record. There is an error in Mr. Ash's reply that should be noted. Where the letter refers to section 5, it should read section 6.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PROXMIRE. As chairman of the HUD, Space, Science, Veterans Appropriations Subcommittee, I became interested in whether or not there were intelligence funds in my \$21 billion budget. I checked with OMB and was told that except for possible Economy Act transactions, no funds have been transferred to the CIA from any of the agencies falling under the jurisdiction of the HUD, Space, Science, Veterans and Independent Agencies Subcommittee. I urge other subcommittee and committee chairmen to make the same inquiries.

THE SECURITY ISSUE

This sleight of hand aside, the major question each of us has to answer before voting on this amendment is "Will the public release of this aggregate budget in any way compromise our national security?" If it can be shown that it will not, then this amendment should be passed.

I intend to show that it will not compromise our security, in any way.

First, let us apply a little common sense to the problem of security. Would anyone charge that the Senate Armed Services Committee is endangering our national security by publishing the total amount of the Defense budget? Would anyone claim that the Secretary of Defense and the Joint Chiefs of Staff have violated security when they testify before Congress in open session and when they peak across the country and use the total amount of the defense budget in public?

Of course not. That would be utterly ridiculous. The total amount of the budget is not a security problem.

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But we go much further than that. We lay out that budget in great detail. We break it down by component and by function. We then talk about each individual weapon. When will it be ready? How much will it cost? What does it look like in a technical sense?

Of course, this detailed information is valuable to the U.S.S.R. But long ago, a decision was made that in our open society it was better to know the facts and ride herd on the Defense Department than to accept the intangible fear of enemy knowledge.

In fact, many American strategists have argued that the size of the U.S. military budget and the characteristics of our overwhelming nuclear force should be made public in order to reinforce the psychology of deterrence. The enemy will not be deterred unless he truly believes the United States has these weapons.

The same goes for the intelligence budget. It is a form of deterrence for the potential adversary to know that we will continue to spend sizeable funds for intelligence. They will be less inclined to spring some surprise.

Of course it should be quickly said that the only figure we would be releasing is the single number representing the combined intelligence budget. Not a breakdown. Just the overall figure.

Now just what would this tell our adversaries? They would not know if it all went to the CIA, or DIA. Whether the NSA spent most of the money, or the Air Force.

How about yearly fluctuations? Say for example, that the budget went up 10 percent in 1 year. What would they conclude? That manpower was more expensive? That the CIA was spending more for Laos? That the DIA had bought a new computer division? That NSA was hiring more people? They would know nothing.

Listen to what former CIA Director James R. Schlesinger told Senator HARRY F. BYRD, Jr., during his confirmation hearings for Secretary of Defense:

I think it (speaking of releasing selected intelligence budget data) might be an acceptable procedure, Senator, to indicate the total figure of the national intelligence programs. I would not personally advocate it, but it may be an acceptable procedure . . . There is the feeling that it might be wise to give the gross figure. I have come to share that feeling at least in this time frame, but that does not say that is not a possibility.

Senator BYRD specifically asked:

There would be no security reasons why it should not be done?

Dr. Schlesinger replied:

For the gross figure, I think that the security concerns are minimal. The component figures, I would be more concerned about but for the gross national intelligence program figures I think we could live with that on a security basis, yes.

Remember that this was the Director of Central Intelligence testifying, the man who then was the CIA Director. He is now the Secretary of Defense. This is exactly what the amendment before the Senate provides.

When the same question was put to William E. Colby during his confirmation hearings to be Director of Central Intelligence, he replied:

I would propose to leave that question, Mr. Chairman, in the hands of the Congress to decide . . . We are not going to run the kind of intelligence service that other countries run. We are going to run one in the American society, and the American constitutional structure, and I can see that there may be a requirement to expose to the American people a great deal more than might be convenient from the narrow intelligence point of view.

Mr. Colby's two points should be kept in mind. First, he left it up to Congress. Second, he said we have to run our intelligence agencies in a democratic environment. Both of these points argue for supporting this amendment.

After he was confirmed, Mr. Colby started having a change of heart. It is interesting to note how opinions change during and after confirmation hearings.

Now Mr. Colby argues against releasing even the aggregate total of the intelligence community budget.

During the confirmation, he said, I would favor a greater degree of exposure of what we are doing (p. 18). Now he says he does not think it would be a good idea.

Mr. Colby further explained why he opposes such a course of action. Quoting from a February 22, letter, Mr. Colby says:

I am still concerned that public disclosure of total intelligence figures on an annual basis would lead to pressures for further public explanation of the programs for which monies were appropriated.

That is the real reason for not releasing the budget. It will allow Congress to start doing its job. Questions will be asked. There will be pressure on the oversight committees to very closely review that budget and justify it thoroughly, so that they in turn could come back to Congress and say we are getting our money's worth.

There is something very healthy about responding to public pressure—even for the intelligence community.

The question must be asked of every person who says that the release of this total budget will endanger national security. How will it do so? Why did Secretary Schlesinger say it would not? Give some examples, hypothetical if desired of how such disclosure would work against us. How is the total intelligence budget figure different from the total military budget? Is it more important than a \$100 billion defense budget? Are the Armed Services Committees violating security by reviewing the Defense budget in public?

These questions need answering by those that support continued secrecy of the intelligence budget.

I hope answers are forthcoming.

Mr. President, this amendment is the most restrained attempt to introduce fiscal integrity to the intelligence community. It is written to take into consideration the possibility of security problems. It only calls for the release of the total figure.

It is time we found out just how large that budget is. It will not impinge on security considerations.

It is a long overdue step toward reasserting the right of Congress to inquire into the money it appropriates. We have operated in the dark too long.

I invite attention, Mr. President, to the fact that the Senate Select Committee on Secret and Confidential Documents, the cochairmen of which were the majority leader and the minority leader, Senators MANSFIELD and HUGH SCOTT, made the recommendation which is embodied in the amendment I am presenting to the Senate today and on which we will vote a little later.

I hope that the Members of the Senate will recognize that this is a matter that has been studied by the select committee; that they did make this recommendation; that the present Secretary of Defense, who was formerly Director, and the present CIA Director, when his nomination was being confirmed—both at the time of the confirmation of their nominations—indicated that the damage, if any, would be minimal and that they saw strong arguments in favor of releasing the total figure. They could live with that, provided there was no breakdown of the components.

Mr. President, I reserve the remainder of my time, and I yield the floor.

EXHIBIT 1

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., April 8, 1974.

Hon. ROY M. ASH,
Director, Office of Management and Budget,
Washington, D.C.

DEAR MR. ASH: Under the authority of the 1949 Central Intelligence Agency Act, the CIA is authorized to transfer funds to and receive funds from other Government agencies subject to the approval of your office. This authority is granted without regard to other provisions of law.

Would you please provide answers to the following questions dealing with this practice:

1. Is there any other authority for this transfer or receipt of funds other than in the 1949 CIA Act, Section 6? If so, where?
2. As Chairman of the HUD, Space, Science, Veterans and Independent Agencies Subcommittee of the Senate Appropriations Committee, I request you to make known to me if any of the funds appropriated under my jurisdiction have been transferred to or expended by or on behalf of the CIA?
3. Will you please describe the process by which funds are transferred from one appropriation account to use by the CIA?
4. What members of Congress are made aware of this practice in terms of the actual flow of funds?
5. What restrictions are placed on this transfer or expenditure of funds?
6. Why cannot the CIA budget be funded in a single appropriations bill?

I would appreciate an early answer to these questions since hearings are currently in progress.

Sincerely,

WILLIAM FROMMIRE,
—U.S. Senator.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,
Washington, D.C., April 29, 1974.

Hon. WILLIAM FROMMIRE,
Committee on Appropriations, U.S. Senate,
Washington, D.C.

DEAR SENATOR FROMMIRE: This responds to your letter of April 8, 1974, in which you pose several questions regarding the funding of the Central Intelligence Agency.

As you know, extraordinary measures have been taken by both the Congress and the executive branch to protect the sensitive foreign intelligence operations in which the CIA engages. With respect to the budget, information relating to CIA's funding has been classified by the Director of Central Intelligence.

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gence in order to assure that this sensitive information might not be made available to any foreign government. Nevertheless, the Office of Management and Budget exercises its responsibility to review CIA funding in the same detail that it reviews the budget requests of any other executive branch agency. The specific amounts of the agency's approved appropriation request and the identification of the appropriation estimates in the President's annual Budget, within which these amounts are included, are formally provided by the Director of OMB to the Chairmen of the Senate and House Appropriations Committees; similarly, the Director is informed by them of the determination of the CIA budget, and OMB approval of the transfer of funds to CIA is based upon this decision.

Within the limits of this arrangement made necessary by security requirements, I wish to respond fully to the questions raised in your letter.

1. The authority under which OMB approves the transfer of funds to CIA for its approved budget is Section 5 of the CIA Act of 1949 (50 USC 403f). To our knowledge, no other authority is now or ever has been used by OMB for this purpose. As in the case of other executive agencies, CIA receives other funds under provisions of the so-called Economy Act (31 USC 686), which permits the purchase of supplies or services by one agency from another when it is more economical to do so. The magnitude of these transactions is reported to the appropriate committees and to OMB, but no formal OMB approval is required.

2. Except for possible Economy Act transactions, no funds have been transferred to the CIA from any of the agencies falling under the jurisdiction of the HUD, Space, Science, Veterans and Independent Agencies Subcommittee of the Senate Appropriations Committee.

3. The transfer of funds to CIA under Section 5 of the CIA Act is accomplished by the issuance of Treasury documents routinely used for the transfer of funds from one government agency to another. The amount and timing of these transfers, pursuant to that Act, are approved by OMB.

4. Information concerning the transfer of these funds to CIA is available to members of the Senate and House Armed Services and Appropriations Subcommittees concerned with CIA matters.

5. Under established procedures, funds approved by OMB for transfer to CIA are limited to amounts notified to OMB by the Chairmen of the Senate and House Appropriations Committees. The specific appropriation accounts from which the funds will be transferred are also determined by this process. Obligations by CIA, subsequent to the transfer, are further controlled by OMB through the apportionment process.

6. The funding of CIA through a single publicly identifiable appropriation could result in the disclosure of information detrimental to the agency's sensitive foreign intelligence operations, as I understand the Director of Central Intelligence has indicated to members of the Congress on several occasions.

I trust that the above information is responsive to your needs.

Sincerely,

ROY L. ASH,
Director.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. THURMOND. The time to be equally divided between both sides.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. PASTORE. Mr. President, will the Senator yield me 5 or 10 minutes?

Mr. STENNIS. I yield 10 minutes to the Senator.

Mr. PASTORE. Mr. President, what I have to say will not take 10 minutes.

I must recognize the sincerity and the motive—I might say the noble motive—on the part of the sponsors of this amendment and what they are trying to accomplish. As a matter of fact, I do not think any matter has disturbed Members who are charged with this responsibility more than this matter, with respect to the ramifications and the complexities that are involved in this kind of situation.

I would pray for the day in this world when nations could live as neighbors, when people could live as brothers, when we would not have to have an atomic bomb or a missile or a nuclear submarine, that we could live in peace and tranquility, and that we would not even need a Central Intelligence Agency.

But the world is not made that way. The history within my lifetime has proved pretty much that unless a nation is on its guard, as we had to be in 1952 at the time of the Cuban crisis, it could lose its birthright.

Now, what are we talking about here? We are talking about the Central Intelligence Agency. I have been connected with the Joint Committee on Atomic Energy almost as long as I have been in the Senate. Day in and day out we sit behind closed doors in a room that has been debugged because of what is told, what is given to the committee, and what is listened to. Only the members of that committee are privy to what goes on, except, of course, that the courtesy is rendered on a need-to-know basis to Members of Congress if they make a request that they need to know. The same goes for the Central Intelligence Agency. I daresay if any Senator really wants to know how much we spend for intelligence, he could find out. But then they would have to reveal what they spend it for. They might not be able to publish the information, and why should they? What would it accomplish?

I do not know the men and women up in that Press Gallery. For all I know, there may be a newspaperman there from Moscow. We live in a free society, and what we say on the floor of the Senate goes all over the world. It is a public record. That is the way we live. We are an open society. If we tell the Russians what they have to know, will they tell us what they have? I will eat anyone's hat on the Capitol steps if that happens.

Do Senators know what Khrushchev said when he came here and met with Mr.

Dulles, of the Central Intelligence Agency, for the first time? He said, "You know, your country and my country could save a lot of money if we could get together." Do Senators know what he meant by that? He meant by that that they are spying on us and we have to spy on them. That can be said publicly, because that is what this is all about. We have to know what they are doing, so we can know what we have to do in order to guarantee the security of our own country.

So we cannot come out here and tell the whole world, "We spent \$1 billion or \$2 billion for the Central Intelligence Agency." What does that mean to anyone else, except that perhaps some people think they are spending too much. And the minute the question is asked where they are spending it we are in serious trouble.

So what happens to your children and my children, Mr. President? What happens to you when you go home tonight? What happens tomorrow? What happens to the security of our country? Can we afford to tell them? Oh yes, I would like to tell the public everything it is possible to tell them. I believe in that. I have been in public life continually for 40 years. I believe in the right of the public to know. But I certainly would not come to the floor of the Senate and tell you, Mr. President, how to put together an atom bomb. I would not tell you that. I would not tell you how far our nuclear subs are able to travel; I would not tell you how we can detect an enemy sub; and I would not tell you how they might detect ours. I would not tell you that. Why would I not tell you that? I would not tell you that because the minute I told you that I would jeopardize the future of your children.

I do not relish the responsibility on this ad hoc committee. I happen to be on it. We sit there for hours and hours, day in and day out. It is not a pleasant job, but it is a job that was assigned to me and I have to do it. If anyone wants my job on that particular committee I will give it to him tomorrow. But it has been assigned to me and I have to do it.

I repeat again that I realize the motive behind this measure. I think a lot of people are a little disturbed over some things that CIA has done. That needs to be investigated, and that is our job, and we are doing it every day.

But as the Senator from Minnesota has said on this floor a hundred times: Please do not throw out the baby with the bath water. That is the point. In our attempt to catch that one mouse, are we going to burn down the barn? We cannot and must not burn down the barn. So we come out here and say, "This is the amount of money we are spending." Very well; after it has been said, then what? Someone else says, "You are spending too much." In order to prove that too much is not being spent, statements have to be made as to where it is being spent, what we are doing. The big question is, Can we afford to tell them what we are doing?

I have been in many committee meetings—the Joint Committee on Atomic

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Energy, the Committee on Appropriations, and on the ad hoc committee to which I referred—where they show us the evidence they have. But they do not disclose how they spend money to provide this information. Once the Russians, or even the Chinese Communists find out our national security can be damaged. And it is just to satisfy a little bit of an emotional rebellion that is justified on the grounds that an agency has made some mistakes. Can we throw away the security of the country? That is what it means to me.

I have sat down with the Senator from Wisconsin (Mr. PROXMIER), the Senator from California (Mr. CRANSTON), to find a solution, and I have sat down with Mr. Colby, who is a great American. He said, "Please do not do this. If you want to make my job easier, please do not do this." I cannot sit there after that admonition and exhortation and turn around and say, "Mr. Colby, I do not believe what you have to say." If I believed that for 1 minute, I would say, "You ought to give up your job."

I know the CIA got mixed up in Vietnam. Many got mixed up in Vietnam. I condemned it.

Do not forget, I was Governor of my State when the bomb fell on Hiroshima on August 6, 1945. A few days after that a second atomic bomb fell on Nagasaki. Frankly, I have not slept so well since then thinking about the horror that can be visited upon mankind if this thing ever lets go. I would hope that the CIA is not a provocative agency but a protective agency; that it is there to protect American security and the American people. The minute we disbelieve that we should do away with it entirely.

I repeat again that as long as we live in this kind of a world, where tomorrow we do not know where we will be, where the Russians now are trying to achieve parity with us; where we have been told categorically, without any question of doubt, that what they are doing is because they do not want to suffer the humiliation of Cuba again—that is what this is all about, and that is why they are coming along, hell bent for election, augmenting their military strength.

Look at the deal we made on SALT I. They can have over 60 missile firing nuclear subs; we have only a little more than 40 of this type of submarine. They have about 1,700 land-based missiles; we have slightly over 1,000.

When anyone stands up and says to me, "Oh, they are not going so fast," that person is not going to the briefings. One does not find that information on the floor of the Senate. He has to go to the secret briefings. There one sees the statistics, the facts. I can tell Senators that after they have done so they will be frightened as to what could happen to this world if one act of madness lets this thing go off.

And so I say to my distinguished colleague from Wisconsin, and all those who agree with him, I sympathize with his feeling. I realize the fact that the CIA has done some things wrong—perhaps too many things wrong—but let us correct it. Let us put the brakes on. Let us admonish the committee that is in

charge to do its job. But in the name of truth, in the name of protecting this Nation against an assault, in the name of protecting the American people and their future, let us rely on the special committees that do their job, and if any Member of the Senate really wants to find out what the total amount is, I think in private he should be told.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HUMPHREY. Mr. President, I rise to commend the Senator from Rhode Island and to associate myself fully with his comments. The Senator pointed out very properly that the Central Intelligence Agency has in the past engaged in activities that have been looked upon by certain Members of the Congress as undesirable; but I want to make it clear that every one of those activities had been ordered by a President. The Central Intelligence Agency does not just engage in activities for the love of work. I know that the Central Intelligence Agency, during the Kennedy years and the Johnson years, was engaged in activities in Laos—

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. THURMOND. Mr. President, I yield such time as the Senator may require.

Mr. PASTORE. Five more minutes.

Mr. HUMPHREY. There were Members of Congress who knew full well what we were doing, but at the time we thought we were doing the right thing. Hindsight is so marvelous, is it not? We see so much better after the fact.

Mr. President, the Central Intelligence Agency is possibly the most important agency in this Government. By and large, it is made up of people who are competent, able, and who have served this country well and faithfully. To be sure, there are times when it has engaged in activities, as we have said, that are looked upon with suspicion; but I think it would be folly for us to publicize all of its activities, to publicize the amounts it receives, particularly when there are ways and means within this body and within the other body of Congress to supervise it and to keep a check rein upon it.

The Soviet Union does not tell us what they spend in intelligence, or even in subversion, and they are not about ready to. The only way we have any chance of knowing what they are doing is through agencies like the Central Intelligence Agency—not alone, but that agency is, without a doubt, the prime instrument of this Government for the gathering of intelligence.

I was visiting earlier here with our distinguished friend and colleague from Washington—and I know this to be a fact, of course—and discussed the fact that there is only one person in the British Government who knows who the director of intelligence is and to whom that director reports—just one, and that is the Prime Minister. In most countries that is the case. In the Republic of France and in the Federal Republic of Germany it is the case.

Presently we are on a binge in this country about every aspect of government. Everything is suspect. Well, Mr. President, you have got to call a halt to something. You cannot just start to dismantle the structure because of the transgressions, or alleged transgressions, of a few.

I think that the Senator from Rhode Island stated it so succinctly and so effectively that all I can do is just add my amen to it; but I had the privilege of serving on the National Security Council, and I want to tell my colleagues that the Central Intelligence Agency was the most accurate and effective instrument of Government for that council. Its reports were most accurate, and had we followed the advice of the Central Intelligence Agency in many areas, we would have been better off, but at least it was there.

I know the Senator from Wisconsin is going to say he is not going to interfere with them, and that is true, but the figure will be out there, and right away there will be some of my political persuasion, who are labeled "liberals," who are going to say, "Well, look at how much money they are spending on spying. Look at how much money they are spending on gathering information which is unnecessary. Look at what they are going to do on counterforce activities or clandestine military activities."

If the Congress does not want it to engage in clandestine activities, all it has to do is legislate it—they will obey the law. But the trouble around here is that we like to put the blame on a lot of other people when we do not have the guts to legislate what we ought to be legislating.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. Talking about the amendment, it sounds so harmless to say, "All we want is the overall figure."

When we discussed this with Mr. Colby and asked him, "What is wrong with the overall figure?" he told us, "There is a lot wrong with it, because if you choose to cut the figure down at some time, privately and secretly, and I have to live with it, nobody knows what is done, but if you do it publicly, then the Russians and the Chinese Communist will know we are doing less, and that might let them become more audacious. They might think we are letting our guard down. It will have repercussions."

This came from the lips of an expert in the area, and it makes sense.

If I thought giving the overall figure would be the answer to our problems, I would go along with it, because, after all, it could be argued, "Well, we are not giving the details," but, as the expert said, if we give the overall figure, what does it mean? If anybody thinks we are spending too much, he will want to know where we are spending it. If we are spending too little, he will want to know what we are doing. These are not matters that we can discuss before the public for the public.

It does not make any difference to me personally. I am interested in my family. I am interested in my grandchildren. I want them to live in a safe country. I do not want them to live in an unsafe coun-

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try. Other than that, I do not relish the job; I am not trying to keep this away from the American people. I am concerned and interested because that is the only way we can behave in a crazy world, and it is a crazy world.

Mr. HUMPHREY. And it is going to continue that way for some time, regretably.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JACKSON. And what if the following year the CIA found it necessary to ask for more money? Then we would have the same problem. They would want to know what they are engaged in now that they were not engaged in in the past. We could not allow the publication of the figures without that sticking out like a sore thumb.

Mr. PASTORE. You cannot win.

Mr. JACKSON. You cannot win either way.

Mr. HUMPHREY. It is a no-win proposition.

Mr. JACKSON. I commend the Senator from Minnesota and the Senator from Rhode Island.

Mr. PROXMIRE. Mr. President, as long as the Senator from Rhode Island and the Senator from Minnesota have the floor, I would like to ask them some questions.

Mr. PASTORE. I yield.

Mr. PROXMIRE. I ask the Senator if it is not true that the amendment does not require the revealing of information or any figure about the CIA, but simply the total national intelligence overall figure, including the CIA, the DIA, the Army and Navy Intelligence, all together. It is not an anti-CIA amendment. What this amendment would do is tell us whether we are spending \$1 billion, \$5 billion, \$10 billion. It would give us some notion of how important this is in terms of resources and would mean we could have some attention given to these agencies, attention we do not have now.

The fact is, as the Senator from Missouri (Mr. SYMINGTON) said, that in 1970 the CIA oversight committee of the Senate Armed Services Committee met twice. In 1971 there were no meetings. In 1972 it met once. When it does meet, what does it accomplish? It does not keep a record. No staff is present. Only Senators are present. We know that without a staff or a transcript, a hearing like that cannot be very useful.

When we have some knowledge of what this amount is, whether it is \$6 billion, \$7 billion, or \$10 billion, we have some interest or pressure on this. Not being on the oversight committee, one would be entitled to ask about it, so one would be inclined to be better informed. It seems to me we will function far better. That is all the amendment is intended to do.

Mr. PASTORE. When the Senator says there is no record kept, that is true, but there is an obvious reason for that. The staff is there. The Senators are there. We sit there for hours, listening, and we have a very minute scrutiny of the items that are presented.

Is the Senator telling me that if the entire figure is revealed, at some time he

would not get up on the floor of the Senate and ask how much higher or lower the figures are for this year as compared to last year? Knowing the Senator from Wisconsin, he would be the first in the Senate to do so.

Mr. PROXMIRE. Would that not be good? What would be wrong with that?

Mr. PASTORE. The Senator can reveal what he knows.

Mr. PROXMIRE. I do not have to reveal it. I can ask about it.

Mr. PASTORE. What am I supposed to do? I cannot tell the Senator; so the Senator goes out and says, "Senator PASTORE would not tell me."

Mr. PROXMIRE. No. But the Senator from Rhode Island and other Senators know about it.

Mr. PASTORE. The Senator can find it out privately, but he does not want to find it out privately. He wants to tell the world about it.

Mr. PROXMIRE. I think the world ought to know the overall figures.

Mr. PASTORE. Does the Senator mean Russia should know?

Mr. PROXMIRE. Right.

Mr. PASTORE. My goodness, I quit.

Mr. HUMPHREY. Would the Senator say that it would have been in our national interest in World War II if Franklin Delano Roosevelt had published how much money was invested in the atomic bomb?

Mr. PROXMIRE. Of course not. My amendment would not require it.

Mr. HUMPHREY. I realize whenever we get into any element that is called secrecy here it is suspect. We are dealing with national security, and one has got to trust somebody. We have a way at least of checking here a little bit, and that check is with the ad hoc committee. If that committee does not meet often enough, I suggest we submit an amendment requiring the committee to meet monthly or to meet quarterly for whatever time is necessary. That is what we need to do.

I happen to believe that we need a Joint Committee on National Security in Congress, that is going to have general supervision of the CIA, consisting of the top people of Congress, just as we have a National Security Council.

I proposed it repeatedly. I proposed a Joint Committee on National Security, in which the Members of the Senate and the House of Representatives would have particular responsibility in the field of national security.

But my point is, and I think the Senator from Rhode Island is so right, the minute we publicize all these intelligence figures, the inevitable followthrough is a debate in this body as to what it is for, it will be in every journal and every tabloid. It will be all over. It will not serve the public interest.

If we could get the Soviet Union and the Chinese to walk to the altar with the rest of us, confess our sins, live a pure life, and pledge ourselves to peace and love, then I would let them know everything about what was going on. But, frankly, they will not do it.

I believe in détente. No Senator has worked harder for arms control; no Senator has worked for more open com-

mittees. But there is a point where we have to stop, at least in my judgment.

I know the Senator can make a brilliant argument and a moving, emotional argument, that we ought to have all these figures right out in the open, and if we can have assurance that is all we are going to do, that is all it would lead to. Even that would be a risk, but perhaps one that we could take.

But just as surely as we are in this body today debating whether or not we ought to have a release of the figure, next year it will be whether it is too big or too little, and then it will be what is in it. Then when we start to say what is in it, we are going to have to expose exactly what we have been doing in order to gain information; for example, years ago as to where the Soviet Union was building its nuclear subs and the kind of nuclear subs they were. I saw that material in 1965—how far they were along, what their scientific progress was. I do not think it would serve the public interest for all of that information to have been laid out. It would have destroyed our intelligence gathering completely.

I wonder how many Senators realize the unbelievable torture that a number of our Central Intelligence agents go through in order to get information that is vital to the Nation's national security.

It is because I feel this strongly that I make this statement, although it runs counter to much of my so-called ideological philosophy. One advantage I have had—and I am not going to be a partisan around the Senate when it comes to national security—is to sit on the other end of the line. I am here to tell the Senate, that if we start to tinker with the intelligence services of this country, we do it at our peril.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. HUMPHREY. Yes, I yield.

Mr. PROXMIRE. Could not the same argument the Senator is making be made with much more force with respect to our Defense budget? We debate on the floor of the Senate, we have open public hearings, we publish a great deal about our missiles, about our submarines, about our most advanced and complex planes. This does give great information to the Soviet Union. I am not asking about anything of that nature with respect to intelligence. This would not even reveal how much we provide for the CIA.

All I am saying is that the taxpayer is entitled to know how much of the billions of dollars he contributes in taxes goes for intelligence operations overall. Then he can, through his Representatives, determine to some extent whether we spend any kind of effort and interest and concern with whether or not that money is wisely spent. That is all the amendment does.

Mr. HUMPHREY. I think I understand fully the Senator's honorable, legitimate purpose. I really am not opposed to that legitimate purpose. The problem is it is sort of like loose string on a ball of twine, so to speak, that starts to unravel. Now, indeed, we tell the whole world about practically everything we are doing. As Gunnar Myrdal, the great Swedish sociologist, once said about the United States:

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If you really want to find out what is wrong in America, you don't have to do research; just ask anybody and he will give you a full hour's dissertation.

Mr. PROXMIRE. We have a pretty good system.

Mr. HUMPHREY. Do not misunderstand me.

Mr. PROXMIRE. It works well. It is open and free.

Mr. HUMPHREY. I think this openness is our strength. I think a society has to have that openness. But I think there are some things in family life that are private, that do not aid a good family if one starts exposing it all.

I think there are some things, may I say, in public life called national security, particularly when it comes to intelligence gathering. It is a nasty business, and the Senator knows it and I know it, and, of course, it makes good headlines, it makes good stories; it makes good fiction; it makes good TV. But there is a point, I think, where we have to ask ourselves, "Do I dare go this far," and that is all the Senator from Minnesota is doing.

I really do not intend to get so involved in this debate, but I feel a very deep obligation about this. I think that I owe it to this body to at least tell what my experience has been, even though I had no direct responsibility. I only served as Vice President, but I happen to believe that this agency is so important that we ought to make sure within the confines of Congress that we know what it is doing, and set up the instruments and men we can trust.

We trust one another in this body on the basis of censorship of each other. One thing I plead for in the Senate is more trust rather than our running to get the headlines. More love, more affection in this body; that is what this country really needs today.

What I worry about is that somehow or other we feel we cannot trust each other here. I happen to think—and I use one Senator, the Senator from Rhode Island—who is as much interested in cutting the defense budget as the Senator from Minnesota. I want to see that budget reasonable, and I want to see it trimmed. By the way, the committee did cut it. It cut it so much that some of us who thought we were going to cut it feel that they beat us to it.

It is my judgment that we have got to trust somebody. I think what we are doing here is trusting somebody.

Mr. McCLELLAN. I might say that at the same time we cut the defense budget, we also cut this budget more than we did the defense budget. I will just say that much for the record.

Mr. HUMPHREY. There we are. I believe we have to have some place in this body where there are some of most delicate things involved where we can put our trust. When we find that trust has been violated, we can remove people from those positions.

I do not believe I have any more to add and be redundant. I have participated in this debate because I feel we have got to be very, very careful. I welcome the initiative of the Senator from

Wisconsin, because it gives us a chance to really explore what we are doing.

Mr. PROXMIRE. Mr. President, I yield the Senator from Iowa such time as he may require.

Mr. STENNIS. Before he does that, will the Senator yield to me to ask how much time we have remaining; those in opposition to the amendment?

Mr. PROXMIRE. I yield.

The PRESIDING OFFICER. Those in opposition have 54 minutes remaining.

Mr. STENNIS. Fifty-four minutes; what about the proponents?

The PRESIDING OFFICER. The proponents of the amendment have 72 minutes remaining.

Mr. PROXMIRE. Mr. President, I yield the Senator from Iowa such time as he may require.

Mr. HUGHES. I thank the distinguished Senator from Wisconsin.

Mr. President, the distinguished Senator from Minnesota has six guests waiting in the dining room. He has assured me he is not walking out on my dissertation here today. I assure him that he is free to go. I value his friendship and integrity beyond anything he could possibly know.

The debate I have listened to so far seems to carry an implication that this amendment is a threat to the internal workings of the CIA and the intelligence gathering community of America around the world, and thereby a threat to the security of the United States of America.

The amendment is very simple, Mr. President. It would list publicly the ceiling or the total amounts of money spent in the intelligence gathering community.

One of the greatest threats to any country, and particularly a country that has great military strength, is not from the outside or from its foreign enemies, it is from the inside, from secrecy and interior deterioration. The greatest threat of all is when we begin to lose control and not know what is happening, and when we begin to give large sums of money to mechanizations and machines that have no bureaucratic control over them.

The Senator says, trust. Yes, we trust and we love. But we know from reading history that governments have destroyed themselves when they no longer had knowledge of what was happening, and when the interior started breaking down.

I am not half as concerned, in today's world, about the future of America based on exterior threat as I am about what is happening inside this country and what can happen inside this country unless we are completely open, with every ounce of communications we can have with the people of this country. If thereby there is some little risk to the world, with the risks we are already living with, I say it is not too high a price to pay.

What is the role of the CIA? As far as I know, I know nothing. I am a member of the Armed Services Committee, and I know nothing. I could get such information, as the Senator from Minnesota has said, given to me privately. It would be given. But as far as I know, there is no Member of the Senate, no Member of Congress, and no member of the ad-

ministration, including the President of the United States, who knows precisely and exactly what the CIA is doing in every incident.

We do know they are involved, as the Senator from Minnesota has said, in a nasty business. They are involved in a nasty business in a lot of areas of the world, and that nasty business is supposedly directed at protecting the freedom of the people of this country and our friends in the free world. But no one has the certainty to know precisely what everyone is doing, or even where they are doing it from time to time.

But that is not what we are asking for today. Not at all. All of this debate that I have been listening to, though relevant to the overall intelligence community, which is certainly involved in the security and freedom of the people of the free world, not just in our country but that of the people of other countries, has no relationship to the risk involved in giving the people of this country a glimpse of light in telling them what the total cost is involved in the intelligence activities of this country throughout the world. We do not know that amount, but we do know it is in the billions of dollars.

I listened to the chairman of the Senate Appropriations Committee say did not even want to know, because he was afraid he might talk in his sleep sometime and thereby disclose it to someone. He made that statement on the floor of the Senate.

Mr. President, we are asking just for a thread of light into what may be not only our greatest source of security, but has the potential to be our greatest threat, without the observation and light and without the security that we ourselves as publicly elected officials can place upon those who have the capacity together with the restraint—and if there is any evidence that we have applied, as elected officials, the responsibility of restraint I am unaware of it. I am not saying there are misdeeds or there are wrongs. I am saying none of us know whether we are right or wrong. If we know, I would like to know it is and how much he knows, even an individual Senator, if he is asked far enough ahead, to know what groundwork is being laid for the capacity to draw the threads of the armaments of this country into entanglements.

We have wrestled for years with the problem of the CIA. We do not know. We are uninformed. The oversight that is done apparently is not carried out either mechanically or intelligently. We have not had the capacity or responsibility to know even when we were given information whether it was right or wrong, or what was happening.

Mr. President, one of the great Senators of our time has been the distinguished Senator from Minnesota. He is, as he called himself, a liberal, who has said, "Let us show the public everything, let us give them all the information."

I respect his debate today in saying the public should not have this information, that it is a threat to our security. But, Mr. President, I leave this thought with the Members of the Sen-

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ate: The greatest threat to the security of this Nation is the secrecy that we ourselves place on these events. It will be from the inside, not from the outside.

We talk about the numbers of missiles, we talk about the numbers of warheads, we talk about the numbers of submarines, we talk about the numbers of airplanes, and all of these things; but when each can destroy the Earth, then how much is enough?

The threat will come from losing control on the inside. If maintaining that control requires an ounce of risk, then I think we should be prepared to take that ounce of risk in at least letting us see publicly and the people see publicly whether we are spending \$3 billion, \$7 billion, or \$90 billion, and how we are concealing it and hiding it, and if we are protecting ourselves from the inside as well as from the outside.

I think that ounce of risk, if it exists, is worth taking, and I thank the distinguished Senator from Wisconsin for yielding.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HUGHES. I yield.

Mr. HUMPHREY. Mr. President, I respect this good man the Senator from Iowa, who is one of the great men of the Senate, a great spirit and a great inspiration to me, and I really regret that on occasions like this one has to disagree with a friend so dear and precious, but I want to say to the Senator that while this argument is moving and I think filled with much truth, we can control any possibility of secrecy or of coverup by establishing within the instruments of the Congress the necessary machinery for the supervision of the Central Intelligence Agency.

We have executive sessions in this Congress. We have them in the Foreign Relations Committee and we have them in the Armed Services Committee, and we do not permit those executive sessions to become public. Maybe that is a mistake. But I, over long years of service here, have felt that some of these sessions are necessary.

I feel there is a tendency to try to make too much secret and too much executive. This is why I have proposed that we have a joint committee on national security of the House of Representatives and the Senate. We have an ad hoc committee on this matter of the intelligence operations of our Government, and on that ad hoc committee serve some of the finest Members of this body. I know what good men they are. I am confident that they are as concerned about the security of this country inside and outside as any of us. I find them philosophically the kind of Senators who would be able to cross-examine anyone. And while I cannot help but agree with the Senator from Iowa that one of our great threats is from within, particularly from the moral erosion that is taking place in our society, not only now but over the years, I do not underestimate the threat from without.

Furthermore, good intelligence permits us to do a better job in terms of our national security expenditures and operations, not necessarily increasing them

but reducing them, and I believe I heard today from the chairman of the Committee on Appropriations that the funds for intelligence operations have been reduced.

I happen to believe that we have the power in Congress to set up whatever kind of method or supervisory system we need so that we do not let the executive branch run rampant. But, under our system, we put a great deal of trust and faith in the President. I know that this is a difficult time to discuss that, because of the events of recent months, but I do say to you, Mr. President, that we have a man in that high office, the President of the United States, who has the prime responsibility for these requirements of intelligence and national security and if we do not have the right man there, then it our fault, because we elected him.

We can establish all kinds of systems, elections, and campaign reform, and say that we do a better job, but I happen to believe that we should proceed with great caution when it comes to this business of, really, opening up and exposing, because I think of what would be the inevitable result of our intelligence operations.

Mr. President, I regret to have to say this, because I would like very much from my own political point of view to say to the contrary, but from the point of view of my conscience, I speak as did the Senator from Iowa. Is it not a wonderful thing in this body that two of us can believe so differently and can be as sincere in our point of view?

I greatly respect the Senator from Iowa, and if his point of view prevails, I think it will prevail in large measure, because of our great respect for him.

Mr. HUGHES. I thank the distinguished Senator from Minnesota. I am ready, willing, and I hope able to join him, and I hope the chairman of all of the committees, to find out what they are doing. This would be the appropriate moment, the time, and the day to find out. Let us make sure, instead of an ad hoc oversight or a minimum oversight, that there is some sort of bearing and adequate responsibility on that oversight and in carrying it out. Although we do not have enough time, I agree that an occasional session here is useful so that the youngest and the newest Members can get available information in relation to these activities so that they would know something about them.

Again, I say that this is no risk compared to the risk of darkness. A little bit of light at this moment might help us all in the years to follow.

Mr. PROXMIRE. I want to commend the distinguished Senator from Iowa (Mr. HUGHES). He has hit the target exactly on this issue. The greatest danger we face is from within, I agree. We have seen what has happened to the intelligence community. But I want to tell the Senator from Iowa that I tried to get the most practical and limiting amendment that I could get. I discussed the amendment recommended by the majority and minority leaders, written to the chairman of the Appropriations Committee, and it was agreed, after a study by the

Senate Select Committee on Secret and Confidential Documents, that the Senate should be provided with all of the information requested for intelligence. They believed that the release of this limited information would be useful to the Senate in maintaining the necessary support for intelligence operations. All I do is provide the overall figures. The committee consists of Senators MANSFIELD, PASTORE, HUGHES, CLARK, GRAVEL, JAVITS, HATFIELD, GURNEY, and COOK. Their report recommended this procedure. That is all. It certainly does not go so far as breaking it down as to what the CIA and the DIA spend. The leaders concluded that if we get this overall information, we will be in a better position to discharge our duties and responsibilities to the people.

Mr. President, I reserve the remainder of my time and I yield the floor.

Mr. STENNIS. Mr. President, I yield 8 minutes to the Senator from Arkansas (Mr. McCLELLAN).

The PRESIDING OFFICER (Mr. HASKELL). The Senator from Arkansas is recognized for 8 minutes.

Mr. McCLELLAN. Mr. President, I am reluctant to speak on this issue, because of the position I occupy as chairman of the Appropriations Subcommittee on Intelligence Operations. By reason of that position as chairman of that subcommittee, I have the duty of oversight over the CIA.

I am reluctant to speak on these matters because—I do not relish nor do I cherish nor do I take pride in the fact—that I may have access to information that I cannot share with my colleagues. I would wish it were practical. I wish it were a proper thing to do—to disclose every bit of information that I have been able to obtain from time to time respecting the activities of the CIA, what it does, its methods of procuring information, how it spends its money, and the results that it achieves. I would prefer to do that. The subcommittees who have this responsibility are ad hoc committees of the Appropriations Committee and the Armed Services Committee of both the Senate and House. We are instrumentalities of the Senate, of the Congress, and so created where we are serving as your agent, as your tool, to achieve the supervision that is possible and necessary. We are charged with the responsibility to see that this work is carried on, and to recommend the proper appropriations therefor.

If these subcommittees—and there are 22 members on them. Ten are from the Senate—five are from the Appropriations Committee and five are from the Armed Services Committee, who are privy to this information that is withheld for security reasons from the public. The committee members are:

INTELLIGENCE SUBCOMMITTEES

Senate Appropriations: McClellan, Stennis, Pastore, Young, and Hruska.

Senate Armed Services: Stennis, Symington, Jackson, Thurmond, and Dominick.

Mr. President, there are 12 members of the Armed Services Committee and the Appropriations Committee of the House of Representatives. The House Committee members are:

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House Appropriations: Mahon, Whitten, Sikes, Minshall, and Cederberg.
House Armed Services: Nedzi, Hebert, Price, Fisher, Bray, Arends, and Bob Wilson.

Mr. President, as I have pointed out, we are servants of this body and of the House. If it is desired that this matter be not handled this way, the Senate should recommend a change in the law and a joint supervisory committee be created. I will support it. I will welcome it. I do not care.

But, let us bear in mind that if we are to have a security intelligence agency, we cannot have it with national publicity on what it does, how it does it, and how much it spends here, or how much it spends there.

I was intrigued by the statement of the Senator from Wisconsin when he said, "Let us end this ignorance."

All right. How much is ignorance?

First, the total amount. You want to end that ignorance? That is when you intend to put the camel's nose under the tent. That is the beginning. That is the wedge. You say you do not want to know all the details on how the money is spent. But if you get the overall figures of \$1 billion or half a billion dollars or \$5 billion, or whatever, then how are you going to know, how can you evaluate, how can you judge or make an intelligent judgment on whether that is too much or too little, whether it is being expended wisely or unwisely, except when you can get the details?

How? You cannot know. And if you receive these figures and if you end this ignorance as to the total amount, next, you will want to end the ignorance as to the different agencies and how it is spent, and through whom it is spent. Next, you will want to end the ignorance on what it is spent for. Next, you want to end the ignorance of how that intelligence is procured. There is no end to it. We take a choice. If you vote this way, the Senate takes the responsibility. It is no embarrassment to me or to any other member of this committee. If this is the way the Senate wants to do it, that is its responsibility.

The national security of this country also is the Senate's responsibility. If this is the way the Senate wants to do it, very well. But let me say this: By ending the ignorance that the Senator speaks of, that can be pursued logically to the point that this will not be the end of it. It will go on from here.

"Ignorance" is a harsh word. We have to be ignorant of many things in Government. If Government is going to function in the area of national security, we cannot be informed at all times about everything that is going on. We often inform our enemies of too much—and they can take advantage of it.

If you are going to end all their alleged ignorance, you are going to end national security. Where do we stop? If you do not like the ad hoc committees, do what the distinguished Senator from Minnesota has suggested: Create another committee in which you will have confidence. Create another committee; name the people you will trust to oversee.

The PRESIDING OFFICER. The Senator's 8 minutes have expired.

Mr. STENNIS. I yield the Senator 1 additional minute.

Mr. McCLELLAN. Mr. President, this has been a burden to me. I have had Senators in good conscience, in good faith—dedicated, loyal, patriotic Americans—come to me and seek this information. I would like to give it to them. But I am torn between the personal desire to make them acquainted with everything I know—everything I have seen and heard in these hearings—and the duty to help maintain and preserve our national security. A security that will be effective and can be useful and can serve to protect the welfare of our country. I have to make that choice.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I will yield, but first I should like to make one other comment.

I think I can go this far. For the past 5 years, we have held extensive hearings on these requests for appropriations. It has been more than adequate supervision with respect to expenditures; I can say that. It has been on the conservative side, I may say to the Senator, without any reservation whatever.

The PRESIDING OFFICER. The Senator's additional time has expired.

Mr. STENNIS. I yield the Senator 1 additional minute.

Mr. McCLELLAN. We cut the national defense budget. We cut this more percentage-wise.

The issue can simply be stated. Do we want to publicly disclose these figures? Or do we want some other change, some other committee to try to perform these functions? I am willing to abide by the decision of the Senate.

Mr. PROXMIRE. Mr. President, will the Senator yield on my time?

Mr. McCLELLAN. I yield.

Mr. PROXMIRE. I yield myself 2 minutes, Mr. President, to ask the distinguished Senator from Arkansas a question.

On November 15, the majority and minority leaders wrote the Senator from Arkansas, asking that he release all overall intelligence information of the kind called for in the amendment. The response of the distinguished Senator from Arkansas, on November 20, is as follows:

I have your letter of November 15 and want you to know that I intend to comply, as fully as possible, with the recommendation of the Senate Select Committee on Secret and Confidential Documents to provide the Senate with the over-all sums requested for each of the various intelligence agencies.

What was the intention of the Senator from Arkansas? Is his intention the same now, or has he changed his mind?

Mr. McCLELLAN. It was my intention and it would be my intention now, to release those figures if it would not jeopardize our national security. I do not want to withhold them. I would like to give the Senator everything I know. But this is not my responsibility. I am not the committee. I would have no right to come here and spread these matters on the floor of the Senate without the approval of the committee.

Mr. PROXMIRE. The Senator is absolutely right.

Mr. McCLELLAN. It would not be

right for me to do that. But I wish it were possible and consistent with the best interests of our country to disclose these figures on the front pages of the press, on television and radio, so that everybody would know. I believe, however, that the Senator agrees with me that that would be a bad mistake. I think it is a mistake to start the public disclosing of these matters. If you do not like the setup, change the setup, but we must protect our national security.

Mr. PROXMIRE. I say to the Senator from Arkansas that I wholeheartedly agree that the Senator is absolutely right to come and ask for the Senate's decision on this.

As I understand the Senator's response, at one time he thought that he could release this if the Senate would approve; but he has had second thoughts on it, and now he feels that it might not serve the interests of the country to disclose this information at the present time.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. McCLELLAN. We had Mr. Colby in and discussed this matter. I asked Mr. Colby to come down, and I asked the Senator from Wisconsin and the Senator from California to come in and interrogate him and visit with him about these things. I have done everything I possibly can to try to find an answer to this problem. But I do not know the answer. We either have to do it or not do it.

Mr. PROXMIRE. I thank the Senator.

Mr. President, I should like to make one other statement.

The Senator from Arkansas has argued, as do other Senators, that the release of this information, the overall total information, is going to be of some value to the Soviet Union, but of no value to us. That does not make any sense at all to me. It may or may not be of any value to the Soviet Union. Frankly, I think it will be of none. There is no way the Soviet Union can interpret whether our overall figure indicates what we are doing within our intelligence committee. Suppose we decrease the amount we are spending. That may mean that our satellites are more effective. That may mean we have found methods that are more efficient in gathering intelligence than relying on manpower. If we increase the amount we are spending, it may mean the reverse. It may not mean that we are making a greater intelligence effort.

What this does is to alert the Senate of the United States—it alerts Members of Congress—so that they, in turn, can get the information they should have if they feel that a disproportionate amount is being devoted to the intelligence community—as to whether they feel it is too much or too little.

As the letter from Senator HUGH SCOTT and Senator MANSFIELD pointed out, the purpose of this is to maintain the necessary support for our intelligence operations, not to tear them down. Not to diminish our effort, but so that we can reinforce it and do so wisely and intelligently.

One more point. With all the debate we have heard—and I challenge the dis-

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tinguished Senators who have yet to speak in opposition to the amendment—I have not heard one, single, solitary, real, hypothetical, or imaginary example of how any damage is going to be done to the United States of America. How is this information going to be used against us? I have heard nothing on that score. I have heard generalizations as to what might happen if we were to release information not called for by this amendment. That does not make any sense. Because we provide the overall total figure for intelligence does not mean we are going to tell anything about the CIA.

My point is that if this amendment is wrong, the burden of proof certainly is on those who would say it is wrong; because what we are doing is simply providing the taxpayer what they are entitled to know, information on where their money goes. If we are not going to disclose this, the burden of proof certainly should be on the side of those who say we should insist on secrecy and not provide disclosure.

So I say that proof has been lacking and I see no examples at all of any damage this could do.

Mr. President, I reserve the remainder of my time.

Mr. STENNIS. Mr. President, how much time remains in opposition to the amendment?

The PRESIDING OFFICER. The opposition has 45 minutes remaining.

Mr. STENNIS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I have said in this Chamber before and I repeat now that it is not fun being on this committee that looks into the money that goes into intelligence. I say that after years of service on the Committee on Armed Services and the last 5 years as chairman of that committee.

This idea of not having had any surveillance and Congress having failed to go into it, those statements are just unfounded because they are made on facts that have been told to some Senators that are not correct.

I do not like to go into this matter but in the formative days men like former Senator Russell of Georgia, former Senator Ellender of Louisiana, and former Senator Smith of Maine were Members of this body, and they were some of the personalities involved. I have served with them, as has the Senator from North Dakota (Mr. Young), who is still serving. Also the Senator from Arkansas (Mr. McClellan) is here. He already has spoken.

It is a mistake to say that the Committee on Armed Services in the year 1970-71 held no meetings on this matter. Every item in the CIA budget in those years was gone over by members of the committee and the capable staff members, and checked in and checked out.

I remember that in January of 1973 we had a full briefing before the full committee by the CIA, and the budget committee on the CIA had meetings, and we have had meetings this year, in 1974, that went over the budget; and we had

briefings by the CIA direct to our full committee.

But going back over the years, every year this matter has been scrupulously gone into because of the special nature and because we had this extraordinary responsibility. I remember asking Deputy Secretary of Defense Packard when he was here 3 years ago to look into this matter from his viewpoint, and he did that.

Now, we are talking about a good many different groups that are connected with the intelligence effort. The Senator from Wisconsin asked for something specific.

To start with, the Soviets know almost everything about everything we are doing by merely going to the bookstore or to the newsstand. They get all of that laid out before them, almost everything; and we get nothing. We do not know anything much about what they are doing. That is what makes it necessary for us to have such a vast intelligence-gathering activity which is worldwide. We have to carry a great deal of the load, the majority of the load for the free world. I am talking about the money load. But we do not have anything to start with. The Soviets have everything, almost.

If they are given this new information then certain deductions could be made about how much of the budget is going for these different activities and the first things we know calculations are made and they come pretty close to being correct as to how much is spent by the military, how much is spent in the civilian area how much is spent on satellites, and how much is spent by the CIA itself and where. Following a series of deductions and inferences based on all the information they already have from us, from the newspapers, and from the newsstands, they will be able to make fairly good calculations.

Specifically I wish to point out one matter. Senators remember the incident of the U-2 having been shot down. Remember that landing that was made. We later had that gentleman before our committee. President Eisenhower was President then. He said:

I am to blame if any blame is to be attached.

That U-2 venture saved our Treasury billions and billions of dollars, in my judgment, and I am familiar with the facts. If we had not been carrying on an activity such as that we would have been totally in the dark with respect to what we knew about the extensive missile work, the silos that they had, and a great many other things that could be named. There is a specific illustration.

Some might say, "Go on and develop what is happening now." I cannot do that; I cannot go on. That is one of the things that can be brought out. I have talked to Senators in the cloakroom and largely have satisfied them with respect to the matters we have talked about, with respect to these programs, and this money, and how we hold back the actual dollar amounts for reasons I have already given, and other reasons that could be given. I know this has been a good debate and I have never seen a debate where I was so certain no single speaker was speaking for any agency.

This argument today is not prompted by the CIA. I have not mentioned this matter to the CIA. I do not have one scintilla of line about them, or a telephone call, a meeting, or anything else. Those of us who have been in touch with the problem have a feeling about it. As the Senator from Arkansas said, we are not speaking for a committee, or a department, a director, an employee, or anything else. This is a problem concerning our national security that has jammed us right to the question of national survival. That is why we stand here year after year standing firm on this position. It may sound apologetic, but it is not apologetic. It goes as far as it can to explain to the membership and to the American people the problem we are up against, and how this problem is handled; and, as much as we can, the reason for handling it that way—at the same time showing the proper respect for every Member of this body and for the taxpayer who contributes as much as one thin dime to the cause involved.

Now, what about the CIA itself. The Senator from Wisconsin has offered a valuable amendment with respect to the basic CIA law, and it has been accepted. I commend him highly for the amendment. We had a bill I had introduced in my committee. We have not yet had a chance to have hearings on that bill. There are some of its provisions that I am delighted to see added as a part of this bill. They are relevant and will be helpful.

For many years I, along with other Senators, have gone over every single major item in the CIA budget.

On my responsibility to my colleagues, they in CIA keep a clean house. They have had a conservative operation dollar-wise and have accounted for the money in a splendid way. That has been true without exception. There has been no great spillage of money or great extravagances, and not one bit of scandal or odor of any kind.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. STENNIS. I yield myself 2 more minutes.

In connection with the expenditure of that intelligence money. There are other agencies involved, as we all know. The military services have already been mentioned. The Defense Department itself has a certain intelligence agency attached to it.

So when I say these matters have been gone over, I mean all of it, but our Armed Services Committee is the so-called parent committee of this direct CIA money. I am not here to praise anyone, but I tell you, Mr. President, that moneywise for years and years the CIA has been conservatively operated and has had a firm hand and a clean house and a clean record with reference to the handling of the taxpayers' money.

I hope that in a moment of frustration—and I do not blame any Senator for being frustrated about this—this system is not overturned here on the floor of the Senate on an amendment which, if it becomes law and is carried out, would, as its practical effect, virtually destroy 80 to 90 percent of the effective-

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ness of much of our most important work in the field of intelligence.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. STENNIS. I yield myself 1 minute more.

I oppose the amendment because it would give our adversary, now and in the future, the working tools, a blueprint, to a degree, of our activities that have already proved to be so valuable and are proving themselves more valuable, in a way, as each year comes and goes.

So I hope the Senate will not only defeat this amendment but, with all due deference to my friend, do so by a large vote. I will be glad to be relieved of my responsibilities in this field if the Senate wants to adopt a new system.

I yield to the Senator from South Carolina.

Mr. President, how many minutes do we have left?

The PRESIDING OFFICER. The Senator has 30 minutes left.

Mr. STENNIS. I yield 12 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise in opposition to the amendment by the senior Senator from Wisconsin. The proposal has the lure of simplicity, but consequences that run deep, and against our Nation's fundamental interests. It contains the promise of informing the public while preserving the essential security of our foreign intelligence capabilities. In fact, I believe it would serve both interests poorly.

A constant in the needs of sovereign nations is to possess intelligence about the intentions and capabilities of adversaries. General Washington wrote one of his intelligence chiefs, Col. Elias Dayton:

The necessity of procuring good intelligence is apparent and need not be further urged—all that remains for me to add, is, that you keep the whole matter as secret as possible. For upon Secrecy, Success depends in most Enterprises of the kind, and for want of it, they are generally defeated, however well planned and promising a favorable issue.

That was the statement of our first Commander in Chief, the first President.

The tragic experience of Pearl Harbor taught us a number of painful lessons. In the 1947 National Security Act the Congress took a giant step toward assuring that executive action or inaction in the international field would be based upon the best information available. Insofar as it is possible for the Congress to direct the executive branch in the conduct of essentially an executive responsibility, the National Security Act of 1947 provided the authority needed for an effective foreign intelligence establishment.

The CIA Act of 1949 provided additional administrative authority for CIA and provided for its funding. The funding of CIA was particularly important from the point of view of Congress since it establishes the second of the two principal relationships between an executive branch agency and the Congress—legislation and appropriations.

I believe that our Nation is unique in the attention its legislature has given to specifying and circumscribing the activi-

ties of the agency designated to perform its foreign intelligence mission. In the process of working out legislation for CIA, it was necessary to somewhat change the procedures followed in the case of the more normal Federal agency. This was particularly true in connection with provisions concerning the authorization and appropriation of funds.

Public revelation in these areas would alert potential adversaries to programs, needs, and accomplishments. This knowledge could be used against our Nation's interest to offset the value of intelligence collected or to neutralize the sources and methods used.

The 1949 CIA Act permits the allocation of sums for the CIA to carry out its activities without publicly revealing the secret purpose to which such funds may be put.

Mr. President, I ask unanimous consent that section 6 of that act be printed at this point in my remarks.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

Sec. 6. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 403(d)(3) of this title that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of section 654 of Title 5, and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: Provided, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 947(b) of Title 5.

Mr. THURMOND. Mr. President, as a matter of fact, the arrangements worked out are completely responsive to the major elements of the Federal budgetary systems. Changes from the norm are designed to provide a reasonably controlled environment so as to protect and preserve the sources and methods which necessarily must be resorted to in collecting foreign intelligence.

As a matter of fact, I know that the budget of CIA is scrutinized with great care.

Similar procedures have been used over the years to fund other governmental activities of an extremely sensitive nature when the public interest would not be served through the use of more common explicit procedures. Examples of this include the Manhattan project for the development of the atomic bomb and the development of the U-2 airplane.

On May 10, 1960, following the loss of the U-2 over the Soviet Union, the chairman of the House Appropriations Committee, Clarence Cannon, explained that:

The plane was on an espionage mission authorized and supported by money provided under an appropriation recommended by the House Committee on Appropriations and passed by the Congress.

Although the Members of the House have not generally been informed on the subject, the mission was one of a series and part of an established program with which the subcommittee in charge of the appropriation was

familiar, and of which it had been fully apprised during this and previous sessions.

The appropriation and the activity had been approved and recommended by the Bureau of the Budget and, like all military expenditures and operations, was under the aegis of the Commander in Chief of the Armed Forces of the United States, for whom all members of the subcommittee have the highest regard and in whose military capacity they have the utmost confidence.

The question immediately arises as to the authority of the subcommittee to recommend an appropriation for such purposes, and especially the failure of the subcommittee to divulge to the House and the country the justifications warranting the expenditure and all details connected with the item at the time it was under consideration on the floor.

The answer of the subcommittee is—absolute and unavoidable military necessity, fundamental national defense.

This appropriation, and its purpose, is justified by honored and established precedent. This subcommittee, including the same personnel with the exception of two members who have since died, was the same committee which for something like 3 years provided in the annual appropriation bills a sum which finally totaled more than \$2 billion for the original atomic bomb. Session after session the money was provided, and the subcommittee visited Oak Ridge where the work was in progress without any Member of the House with the exception of the Speaker of the House being aware of this tremendous project or the expenditure of the money. According to the testimony of all military authorities that bomb ended the war and saved the lives of not less than half a million men who would have had to be sacrificed in the conquest of Japan. No one has ever said that the subcommittee was not justified in expending an amount that eventually aggregated more than the assessed valuation of some of the States of the Union for that purpose.

And now the most gratifying feature of the entire incident.

The world has always recognized the remarkable success of our form of government. It has been the wonder and admiration of mankind. But they have said that it was at a great disadvantage in a war with an authoritarian dictatorship.

We have here demonstrated conclusively that free men confronted by the most ruthless and criminal despotism can under the Constitution of the United States protect this Nation and preserve world civilization.

The CIA is held tightly accountable within the executive and legislative bodies. There may be disagreement as to whom the Members should be or more particularly what committee they should be from in the Congress, but I think such disagreements can only be resolved on the basis of giving priority to the special constitutional roles of the Congress—the appropriation of funds—the enactment of legislation—and the oversight of legislation already enacted. It is difficult to perceive how enlarging a somewhat small group into a somewhat large group would assure that these congressional responsibilities are being fulfilled. Clearly information on the activities of the CIA should not be displayed in a public arena. To do so would defeat our national interest.

Mr. President, I simply want to say that four committees of Congress now receive this information—the Armed Serv-

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ices Committee of the Senate, the Appropriations Committee of the Senate, the Armed Services Committee of the House, the Appropriations Committee of the House. So there is nothing hidden. It is disclosed. It just not disclosed to anybody. If any particular Senator wants this information, he can get it from these committees on a classified basis.

It should be classified. This information should not be made public. Those who passed a law of Congress in 1949, I think, were very far-sighted when they provided that such information would not be made public.

I do not know of any objection that has been made to the way these four committees have handled this information. So far as I know, the four committees in Congress have done a good job handling this information.

If we reveal this information to the public generally it will simply aid our enemies. We cannot get around that. There is no doubt about it. It will reveal the size of our activities that the CIA is engaged in. It will reveal not only the size, but also the trends, because some year it may go up, some year it may go down. Then that will indicate to our enemies what we are doing. It will indicate whether we are increasing our intelligence activities; whether we are reducing our intelligence activities. Then the effort will be made to know where, in what country.

Another thing: In dealing with foreign nations this could be a sensitive matter. Our relations could be affected because if we make this information available then there is going to be the desire on the part of somebody to know how much of it is being spent in this country, how much is being spent in that country. This is a sensitive question that might bring about some ill will in our foreign relations.

No country in the world reveals this information to the public. Why should we do it in the United States? Why should we tell our enemies the size of our expenditures in collecting information which we need to preserve this form of government and protect the people of the United States.

This would be an opening wedge for intelligence details. Once the total amount is revealed there will be the strenuous effort to collect the details. There will be a strenuous effort to collect the sources of information, the methods of collecting information, who is engaged in this, and how they go about it.

Further, I know of no clamor from the public. If the Senator from Wisconsin knows of any clamor from the public to divulge figures here that will hurt our country and help the enemy, I do not know about it.

Mr. President, I may say, further, that it has been referred to here that Dr. Schlesinger does not seem to object to the amendment, and that Mr. Colby does not object to it. I believe the Senator from Wisconsin made some such statement. At any rate, during the course of the hearing on his nomination to be Secretary of Defense, Dr. Schlesinger did make the statement, but the Senator from Wisconsin did not give the entire

statement. I want to give some of the rest of it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. THURMOND. These are his words.

Mr. STENNIS. Mr. President, I am virtually out of time, but I yield 1 minute to the Senator from South Carolina.

Mr. THURMOND. Dr. Schlesinger stated:

I would lean against it. But I think that it could be done. The problem that you get into, you see, as you well know, Senator, is that it would be just a free floating figure, unsupported and unsupportable in public, with nobody except the members of the Oversight Committees or members of the Armed Services Committee and Appropriation Committees who would know the details. Those are circumstances which under certain conditions would elicit the strong tendency for a flat 10 percent, 20 percent, 50 percent, 100 percent, cut in intelligence activities because there is an identifiable target with no broad understanding of what the components are and it is that aspect that I think concerns me.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. THURMOND. I may say in closing that we do have an open society.

Mr. STENNIS. I yield one-half minute to the Senator to conclude.

Mr. THURMOND. We do have an open society, but there are some things that have to be kept secret, and this is one of those things.

Mr. STENNIS. Mr. President, I yield to the Senator from Arizona for 2 minutes.

Mr. GOLDWATER. I thank the Senator.

I want to express my deep concern about this amendment. I think it is extremely dangerous, and it should be defeated.

It is dangerous because it starts a precedent. It is a precedent that I do not know exists any place else in the world, and I do not know that it even exists in this country.

If this amendment is voted on favorably today, we can rest assured that within a year or two, the demand will be made to break the figures down so that we will know where every cent is going.

In military operations there is nothing that approaches intelligence. The estimate of the situation that is made by every man in any battle he has ever engaged in is headed by intelligence of the enemy forces. If the enemy knows what we know about their forces, then this intelligence becomes valueless.

Mr. President, I see no need for this amendment. Any Senator can attend briefings by the CIA if he is cleared for top secret. Any Senator can get the figures that we are talking about by asking for them. If we make them public I think we are asking for trouble.

We have had imposed on us an almost impossible task of espionage with respect to the Soviet Union, while they have a very easy time of it in the United States. I do not want to make that any easier.

I hope that the Senate will say "no" to this very ill-advised amendment.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from Nevada.

Mr. CANNON. I thank the chairman for yielding to me.

I must say that I am in complete accord with the statement just made by Senator GOLDWATER. I cannot think of anything more unwise or anything that could possibly be more harmful to our Government than to let this amendment be agreed to, providing for full and free information to people from whom we would like to keep that information.

I certainly am in favor of full disclosure on matters that ought to be of public interest and ought to be disclosed to the public. I have supported that concept continuously over the years. But I think that disclosure of the intelligence budget would, over the years, by virtue of the trends that were discovered, and which that would disclose, would certainly provide valuable assistance to our adversaries.

I think that if we were to provide that type of information, then we might just as well discontinue the type of activities that we are trying to continue to keep this country informed of for the benefit of the people who reside here.

I hope that the Senate will defeat this amendment overwhelmingly.

I thank the distinguished Senator for yielding.

Mr. STENNIS. Mr. President, I yield 4 minutes to the Senator from Washington.

Mr. JACKSON. Mr. President, I do not feel that this proposal really meets our national interest. It is true that a foreign intelligence service like the CIA must operate more openly in our society than any other similar service in any other democracy in the world. Let us look at the facts:

Last year the new Director of Central Intelligence, William Colby, appeared before the Senate Armed Services Committee and gave extensive testimony in public. I know of no other democratic society in which this would occur.

It has been mentioned here earlier, Mr. President, that the head of MI-6, which is British Intelligence, is known only to the Prime Minister of Great Britain. That is how close they keep that information.

The functions and responsibilities of the Central Intelligence Agency are fully prescribed in statute. I know of no other democratic society in which this has been done.

Finally, the appropriations for CIA are subject to a process which intimately involves four committees of the Congress who are aware of and approve the details of its programs.

The proposal before us is designed to contribute to a more informed public. But how can the public be really informed unless the details of CIA's programs are also spelled out? Yet, if we did so, I can guarantee that we will be providing what is necessary for our potential adversaries to neutralize the methods which we must use in order to obtain information about closed societies.

The paradox of the situation is reflected in the fact that recently some journalists were jailed in Sweden—certainly not a closed society—for merely mentioning that Sweden has an intelligence service.

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In summary, our foreign intelligence service arises out of an act of Congress and all of its activities are closely scrutinized by a number of representative members of both the Senate and the House of Representatives. This is how we have resolved the balance between the needs of an open society and the needs for a secret foreign intelligence service. I certainly do not think that this is the time to unbalance the situation as I am confident enactment of the proposed amendment would do.

Mr. STENNIS. Mr. President, I thank the Senator. I am sorry I do not have more time, but I am glad to yield a minute to the Senator from Virginia.

Mr. WILLIAM L. SCOTT. Mr. President, I merely want to join with my colleagues on the Armed Services Committee in opposing this amendment. We are all proud of the open society of which we are a part, but there is a time when we must keep some of our intelligence secret, and I would urge my colleagues, in the interest of the country, to defeat this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, how much time does the opposition have remaining? I might have misunderstood the Chair.

The PRESIDING OFFICER. The opposition has 9 minutes. The proponents have 54.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from North Dakota.

Mr. YOUNG. Mr. President, I rise to oppose the amendment.

I see no objection to every Member of the Senate knowing exactly how much money is spent for intelligence, and Senators can get that information now if they want it. It cannot be made public though. But as one who has served for many years on this five-member Subcommittee on Intelligence Appropriations and Oversight I can see great danger in having to publicize the amount of money that can be spent for intelligence purposes.

Let me give a good example. During World War II, President Roosevelt spent some \$4.5 billion, as nearly as I am able to ascertain, to develop the atomic bomb. That was probably the best kept secret this country ever had. It was a good thing it was, because the Germans had the know-how, and if they had known we were developing an atomic bomb, they could probably have developed one before us. I understand only five or six Members of Congress knew of that development. Even Vice President Truman did not know it until he became President. If the bomb had not worked, President Roosevelt might have been subject to impeachment for spending so much money without being authorized to do so.

Also, during World War II, a German named Richard Sorge became a Russian Communist spy. He found out from Japan that they had no intention of attacking Russia, but were going to move south, and as a result, the Russians were able to remove their crack troops from the Far East and win the war against Germany.

Our problem with the removing of the Russian missiles from Cuba posed a real critical situation. What was not generally known at that time was that a high ranking Russian G.R.U. intelligence agent named Oleg Penkovsky had turned against the Communists, and he was supplying information, quite accurate as it turned out, as to how far the Russians would go. If anyone wants to read something interesting on intelligence operations. The Penkovsky Papers is the most interesting book on the subject I have ever read.

I know there is great interest in the public knowing everything possible, but I think there are some things that should be kept secret for our own security.

Mr. STENNIS. That is a fine statement.

Mr. PROXMIRE. Mr. President, since this is my amendment, I prefer that the opposition make whatever statements they want to make. I intend to speak only another minute or so, and then I shall yield back the remainder of my time, which is 54 minutes.

Mr. STENNIS. Mr. President, if the Senator will conclude in 1 minute, I will yield back the rest of my time right now, and that will conclude the debate.

Mr. PROXMIRE. Mr. President, with all deference to my colleagues, I think this amendment has been very badly misinterpreted. It would not give away any secrets or expose any of the secret workings of the CIA. All it would do is provide one overall figure, of what our intelligence operations in total cost.

There has been not one example during the debate of how this figure could do us any damage; not one. How it would help the Russians is beyond me. If they inquire as to what the figure means, obviously they get no answer. But Members of the Senate or the House of Representatives, on the basis of this figure, could inquire if the total is increasing or decreasing, or determine whether they think it is too big or too small. I point out that it might very well be too small.

Finally, Mr. President, this proposal is not based on something that came from my mind, by any means. This is based on the recommendation of a bipartisan committee of Democrats and Republicans, headed by the majority leader and the minority leader, who recommended that the release of this limited information will be useful to the Senate in maintaining the necessary support of our intelligence operations.

I just cannot understand how Members of the Senate could be afraid of a little knowledge of a little information on the basis of which inquiry could privately be made, so we could see whether or not these enormous sums are being spent wisely. Now we do not know whether it is \$1 billion, \$5 billion, \$10 billion, or what it is. We do not know whether the amount is going up or down. It has been indicated by the chairman of the Appropriations Committee that the amount has been fairly stable, and perhaps has declined in the last year or so. This is very useful to know. It seems to me that we have a right to know how much is involved and a duty to know, and a duty to act on the information.

Mr. President, I am prepared to yield back the remainder of my time, if the opposition is prepared to yield back its time.

Mr. STENNIS. Mr. President, I am glad to yield back the remainder of my time.

Mr. PROXMIRE. I yield back the remainder of my time.

The PRESIDING OFFICER. (Mr. HASKELL). All remaining time having been yielded back, the question is on agreeing to the amendment (No. 1369) of the Senator from Wisconsin (Mr. PROXMIRE).

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Utah (Mr. MOSS), the Senator from Alabama (Mr. SPARKMAN), and the Senator from California (Mr. TUNNEY) are necessarily absent.

I also announce that the Senator from Missouri (Mr. SYMINGTON) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON) and the Senator from Oregon (Mr. PACKWOOD) are necessarily absent.

The result was announced—yeas 33, nays 55, as follows:

[No. 224 Leg.]

YEAS—33

| | | |
|----------|------------|-----------|
| Abourezk | Hatfield | Muskie |
| Baker | Hathaway | Nelson |
| Bayh | Hughes | Pell |
| Case | Javits | Proxmire |
| Church | Magawson | Randolph |
| Clark | Mansfield | Ribicoff |
| Cook | Mathias | Schweiker |
| Eagleton | McGovern | Stafford |
| Gravel | Metcalfe | Stevenson |
| Hart | Metzenbaum | Weicker |
| Haskell | Mondale | Williams |

NAYS—55

| | | |
|-----------------|-----------|-------------|
| Alken | Dole | McClure |
| Allen | Domenici | McGee |
| Bartlett | Dominick | McIntyre |
| Beall | Eastland | Montoya |
| Bennett | Ervin | Nunn |
| Bentsen | Fannin | Pastore |
| Bible | Pong | Pearson |
| Biden | Goldwater | Percy |
| Brook | Grimm | Reich |
| Brooke | Gurney | Scott, Hugh |
| Buckley | Hansen | Scott |
| Burdick | Helms | William L. |
| Byrd | Hollings | Stennis |
| Harry F. Jr. | Hruska | Stevens |
| Byrd, Robert C. | Humphrey | Taft |
| Cannon | Jackson | Talmadge |
| Chiles | Johnston | Thurmond |
| Cotton | Long | Tower |
| Curtis | McClellan | Tunney |

NOT VOTING—12

| | | |
|-----------|------------|-----------|
| Bellmon | Huddleston | Packwood |
| Cranston | Inoué | Sparkman |
| Fulbright | Kennedy | Symington |
| Hartke | Moss | Tunney |

So Mr. PROXMIRE's amendment (No. 1369) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MCINTYRE. I move to lay that motion on the table.

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The motion to lay on the table was agreed to.

AMENDMENT NO. 1378

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of amendment No. 1378, by the distinguished Senator from Minnesota (Mr. HUMPHREY), which the clerk will report.

The second assistant legislative clerk proceeded to read the amendment.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the Record.

The amendment is as follows:

On page 17, between lines 20 and 21, insert a new section as follows:

SEC. 703. Notwithstanding any other provision of law, no funds appropriated pursuant to this or any other Act may be used for the purpose of carrying out research, testing, and/or evaluation of poisonous gases, radioactive materials, poisonous chemicals, biological, or chemical warfare agents upon dogs.

The PRESIDING OFFICER. Time for debate on this amendment shall be limited to 30 minutes, to be equally divided between and controlled by the mover of the amendment and the manager of the bill.

Mr. HUMPHREY. I yield myself such time as I may need.

The PRESIDING OFFICER. The Senate will be in order. Senators will take their seats or retire to the cloakroom for their conversations. The Senator will not proceed until the Senate is in order.

Mr. HUMPHREY. Mr. President, I discussed this amendment yesterday. I want to be sure that the Department of Defense and its related departments or agencies do not engage in the use of dogs for carrying out research, testing, and evaluation of poisonous gases, radioactive materials, poisonous chemicals, biological or chemical warfare agents. That is the whole purpose of this amendment.

The PRESIDING OFFICER. The Senate is not in order. The Senator from Minnesota is entitled to be heard. The Chair asks the indulgence of Senators.

Mr. HUMPHREY. Mr. President, because I want to make sure that this amendment is specific and is directed toward the Department of Defense, as it relates to the use of dogs in the testing of poisonous gases, radioactive materials, poisonous chemicals, and biological or germ-warfare agents. I want to change my amendment very simply, by making sure that it applies directly to this act. Therefore, on line 2 I would say:

No funds appropriated pursuant to this Act may be used for the purpose of carrying out research, testing . . .

I so modify the amendment.

The PRESIDING OFFICER. The Chair advises the Senator that inasmuch as the yeas and nays have been ordered, unanimous consent is required.

Mr. HUMPHREY. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The modified amendment is as follows:

On page 17, between lines 20 and 21, insert a new section as follows:

SEC. 703. Notwithstanding any other provision of law, no funds appropriated pursuant to this Act may be used for the purpose of carrying out research, testing, and/or evaluation of poisonous gases, radioactive materials, poisonous chemicals, biological, or chemical warfare agents upon dogs.

Mr. HUMPHREY. Mr. President, the purpose of that is for clarity. We are not trying in this proposal to move in on the National Science Foundation, in its normal research work, or the Department of Health, Education, and Welfare.

I wonder what the arguments are against this particular proposal. The arguments are, of course, that if the Humphrey amendment, known as the beagle amendment, passes, it will restrict research, and it will complicate the problems of the Department of Defense on ascertaining how much, for example, an individual or man can take in a submarine; how much bad air; how much polluted air.

Mr. President, I say all of that is not relevant because if the Department of Defense wants to make tests as to the effect of poisonous gases, radioactive materials, poisonous chemicals, biological, or germ warfare agents, there are plenty of other animals they could use such as rats and mice.

I do not believe any Member of this body wants to see the Department of Defense advertise, as it has recently, for 450 beagle puppies for the purpose of testing poisonous gases, radioactive materials, poisonous chemicals, biological or germ warfare agents.

I, for one, am trying to save the Department of Defense from a little more bad publicity. I hope they were mistaken in that original advertisement. This amendment really is the result of conversations I have had with the distinguished Senator from Washington (Mr. MAGNUSON), who long has been interested in this kind of legislation. The Senator from Washington was not on the floor yesterday when I proposed this amendment, so I ask unanimous consent that his name be added as a principal cosponsor of the amendment, along with the Senator from Kansas (Mr. DOLE), and the Senator from West Virginia (Mr. RANDOLPH).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. These Senators all have given serious consideration to this proposal.

Mr. President, the amendment before us addresses the question of the cruel testing by the Department of Defense of poisonous gases, germ warfare agents, nerve gas, biological warfare agents, poisonous chemicals, and radioactive materials on dogs.

As I pointed out to my colleagues late yesterday afternoon upon introduction of this amendment, the military branches have been insensitive to the hue and cry in this country against their continued use of dogs in test gas programs. The DOD has used dogs extensively and currently is using dogs in the evaluation of the toxicity and disabling nature of poisonous gas. The DOD needs some direction in its use of dogs in an experi-

mentation program. My amendment gives it that direction. It prohibits the use of dogs in all such deadly and cruel experimentation.

Mr. President, I find the poison gas experiments by the DOD on dogs—on man's best friend—reprehensible.

It is one thing to do legitimate medical research on rats and rabbits, but it is quite another thing to use dogs, to use beagle puppies, in the testing of poisonous nerve gas and radioactive material and other deadly agents of warfare.

I want to remind my colleagues in the Senate of the moving words of Senator George G. Vest, who served in the Senate in the late 1800's to 1903:

The one absolutely unselfish friend that man can have in this selfish world, the one that never deserts him, the one that never proves ungrateful or treacherous, is his dog . . . He will kiss the hand that has no food to offer. . . . When all other friends desert, he remains.

I introduce this amendment not only to protect our dogs, which are so close to our hearts, but also with earnest concern for the provisions of the Geneva Protocol of 1925 which prohibits the use of asphyxiating, poisonous, or other gases, in war, and the use of bacteriological methods of warfare.

I am the author of Senate Resolution 48 which calls for the Senate to support a broad interpretation of the Geneva protocol. In so doing my resolution recommends that the United States be willing, on the basis of reciprocity, to refrain from the use in war of all toxic chemical weapons whether directed against man, animals, or plants.

The amendment which we are considering today is in the context of my concern that we prohibit the development and use of all chemical and biological weapons whether directed against man or man's best friend.

The DOD currently is testing poisonous gases on beagles and it will continue to do so unless we prohibit such a heartless practice.

Senators have been calling the Department of Defense, editors have been writing editorials, doctors have been protesting, but the Department of Defense just goes willy-nilly on its way with its deadly research on dogs.

As I indicated earlier, the U.S. Army's Edgewood Arsenal in Maryland currently is advertising for 450 beagle puppies to be used to test poisonous chemicals and gases. We must stop the appalling suffering which the dogs must experience in these DOD experiments.

If my colleagues were able to read the scientific description of some of these experiments from the American Hygiene Journal, which appeared in the Record yesterday, I am sure they will want to stop these devastatingly cruel experiments by supporting my amendment. I urge its adoption.

Mr. President, before anything further is said about it, there is not one bit of necessary research that would be inhibited by this amendment. Not one bit of research has to be done on dogs in connection with poisonous gases, radioactive materials, poisonous chemicals,

Appendix 6

Walter Pincus

Congressional Response To the CIA Budget

On September 25, at a closed meeting of the powerful House Appropriations Committee, members voted 30 to 19 not to receive CIA and other intelligence agency budget figures. As a result, the full committee accepted without discussion a subcommittee recommendation for a cut of \$263.2 million in intelligence activities next year without knowing what the overall spending of CIA and other agencies would be or what operations would be curtailed by the cuts.

Rep. Robert Giaimo (D-Conn), a member of the Defense Appropriations subcommittee that looked into intelligence

*Mr. Pincus is on the national staff
of The Washington Post.*

agency spending, wanted the full committee in its closed sessions to discuss the CIA budget. According to Giaimo, Appropriations Committee Chairman George Mahon (D-Texas) told him at the September 25 session he could not mention intelligence figures to fellow committee members. "We then had a long discussion in secret," Giaimo said Monday, "with (Chairman) Mahon blocking from discussion the secret budgets of intelligence agencies."

Rep. David Obey (D-Wis.) finally requested a vote by the committee members on whether the CIA budget could be disclosed then and there at the closed hearing. It lost. For Giaimo, the committee's action was indicative that, despite recent public disclosures, "these guys in the House just don't want to know" about intelligence activities.

Another sign to Giaimo that House members are uninterested in the details of intelligence is that "not too many" of his colleagues took the time to review the secret subcommittee testimony on CIA and other intelligence agency budgets once they had been made available by Mahon.

Mahon first made the offer to his own committee members at the September 25 meeting, then repeated it on the House floor five days later during the first day of debate on the defense appropriations bill.

To see the classified intelligence hearings and budgets, a Congressman had to sign for the material and refrain from taking notes. He also had to agree to disclose it only to "authorized people."

On October 1, Giaimo sponsored an amendment on the House floor that would have led to public disclosure of the CIA budget. It lost 147 to 257. The large vote against disclosure was attributed to Mahon's offer to individual members to look at the figure.

However, few members had walked from the House chamber across the hall to the Appropriations committee offices to review the material. For some who did not go it was the secrecy pledge rather than a disinclination to know the facts.

Giaimo concedes a slow move toward greater disclosure—and perhaps increased Congressional oversight—is taking place. This was the first year the defense appropriations subcommittee, on which he serves, ever held hearings on intelligence spending. The directors of CIA, Defense Intelligence Agency and National Security Agency, plus other officials were questioned. In past years, only Mahon and a few ranking committee members reviewed intelligence budgets. This year, also for the first time, a detailed written understanding between the subcommittee and the intelligence community was drafted on the use of the approved funds.

Mahon also has set up a task force, chaired by Rep. Neal Smith (D-Iowa) to work out new rules governing distribution in the future of CIA and other classified intelligence material and testimony presented to the appropriations committee. Giaimo is on that task force.

With these steps, however, Giaimo and other leaders in the intelligence investigation, including Chairman Otis Pike (D-N.Y.) of the House Intelligence Committee, remain skeptical that as of today the House leadership and a majority of its members are interested in intelligence oversight.

As one of the advocates of investigation put it Monday, "When the hell did the House ever assume its responsibilities willingly without being pushed."

THE NEW YORK TIMES, THURSDAY, OCTOBER 2, 1975

House Rejects, 267-147, Move to Disclose C.I.A. Budget to the Public

By DAVID E. ROSENBAUM

Special to The New York Times

WASHINGTON, Oct. 1—The House of Representatives decided overwhelmingly today to continue to keep the budget of the Central Intelligence Agency secret from the public. By a vote of 267 to 147, the House rejected an amendment to a \$112-billion military appropriation bill that would have permitted the total expenditures of the intelligence agency to be published for the first time.

The House also defeated an attempt to delete from the bill money for the development of the controversial F-18 fighter aircraft.

Final passage of the over-all measure was put off until tomorrow.

The bill would reduce the Ford Administration's request for military programs in the fiscal year that began July 1 by 7.6 billion. However, more than \$2 billion of that reduc-

tion involves requested money for the Indochina War and for shipbuilding contracts that have been deferred since the budget was sent to Congress. The Senate Appropriations Committee is expected to restore some of the cuts made by the House.

Representative Robert N. Giaino, Democrat of Connecticut, who led the effort to publish the C.I.A. budget, said the rejection of his amendment showed that the House was not ready "to assume the responsibility" for overseeing the activities of the intelligence community.

Figure Concealed

Since the creation of the C.I.A., Congress has kept the agency's budget secret by concealing the figure in the appropriation for other agencies. This year, according to Mr. Giaino, the appropriation for the intelligence agency is part of a \$2-billion line-item in the

budget described as "other procurement, Air Force."

Publication of the intelligence agency's budget was one of the principal recommendations of the Presidential commission headed by Vice President Rockefeller that investigated the C.I.A. earlier this year.

Until this year, the budget request of the agency and the amount eventually appropriated was known only to a handful of Congressmen.

This year, however, under pressure from Mr. Giaino and others, Representative George H. Mahon, chairman of the Appropriations Committee, permitted all members of his committee to interrogate C.I.A. witnesses about the agency's budget.

Moreover, Mr. Mahon, a Texas Democrat, agreed last week to permit all House members to read the testimony from agency officials and to see the budget as long as they agreed not to take notes or divulge

the material to outsiders. Mr. Giaino called these actions "significant steps" but said they were not enough. Addressing the House, he declared:

"There is a balance in all secrecy matters. There are goals, and there are losses in defending ourselves against possible aggression from outside. However, we must be careful that the very instruments which we create to defend us do not cause us to lose our liberties."

Mr. Giaino said that he only wanted to publish the total appropriation for the agency, not the individual allotments for various activities. The over-all figure, he said, would in no way compromise the nation's security.

Reliable Congressional sources who have seen the budget figures over the years have placed the appropriation at between \$750-million and \$1-billion. That information has been voted to keep the budget secret.

widely published in the press, but has never been confirmed officially.

Mr. Giaino's contention that the budget information would not compromise security was challenged by representatives from both parties.

Mr. Mahon said that official publication of the budget was "not a favor which we should be doing to the U.S.S.R. and the Communist conspiracy."

Representative Robert L. F. Sikes, a Florida Democrat, said that publication of the over-all budget figure would eventually lead to "full disclosure of anything and everything we've tried to keep secret from our enemies."

Representative Thomas P. O'Neill Jr., of Massachusetts, the majority leader, and Representative John J. McFall, of California, the Democratic whip, were among those who voted to keep the budget secret.

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which will be before the House of Representatives today.

The SPEAKER: Is there objection to the request of the gentleman from Texas?

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1976

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 9861) making appropriations for the Department of Defense for the fiscal year ending June 30, 1976, and the period beginning July 1, 1976, and ending September 30, 1976, and for other purposes.

The SPEAKER: The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 9861) with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN: Before the committee rose on yesterday, the Clerk read through page 29, line 17, of the bill. There was pending the amendment of a gentleman from Connecticut (Mr. GIAMMO). Without objection, the Clerk will again report the amendment offered by the gentleman from Connecticut (Mr. GIAMMO).

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GIAMMO: Under "Other Procurement, Air Force," on page 29, line 17 after "September 30, 1973," strike the period and insert in lieu thereof: "Provided, That none of the funds in this appropriation shall be available for expenditure by the Central Intelligence Agency."

Mr. YATES. Mr. Chairman, I move to strike the last word.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Ohio.

(By unanimous consent, Mr. HAYS of Ohio was allowed to speak out of order.)

INFORMATION ON CONSEQUENCES OF CONTRIBUTIONS TO GOVERNMENT BY MEMBERS FROM PAY INCREASE

Mr. HAYS of Ohio. Mr. Chairman, I have some important information for those Members who have said that they do not want to take the proposed salary increase and that they are going to turn that part of their salary back.

On August 1 when the bill was on the floor to include Members of Congress and others in the cost-of-living increase, I read a letter informing the Members that those who do not desire to take the increase may make a contribution to the Government and that it is tax deductible. In view of the fact that some have since indicated that they are going to contribute \$2,125 per year to the Government, I am sure they would like to have the information as to the amount that should be donated in order to make a net gift of \$2,125 per year or \$175 per month.

For a person who does not file a joint tax return or someone whose spouse is on some payroll—and you would be surprised how many of those there are around—and who happens to reside in one of the few States that has no State income tax, in order to make a net contribution of \$175 per month, the amount that should be contributed would be \$430 a month. If such a Member resides in a State that has a 10-percent income tax, the amount that should be contributed is \$480 a month.

If the Member involved files a joint return and neither he nor his spouse has other income, the amount to be contributed would be \$350 for those in a State with no income tax and \$390 per month for those from States with a 10-percent State income tax.

The above are minimum amounts to be contributed and the amount would be higher for any one who has additional income or who comes from a State that has more than a 10-percent State income tax.

Since Members would always be able to file amended returns for up to 3 years previous and claim deductions for any such contribution, I assume most Members would claim that he need not contribute the full amount because he is not going to take the deduction. We have seen how that works when some of the Members talked the most about not using their stationery allowance and then drew it out just as soon as they left Congress.

It has been noticed that most of those who are turning in money are only turning in \$175 per month and either have a wife on some payroll or have substantial outside income. What they are really doing is beating their home State out of several hundred dollars in State income taxes and taking a cheap shot of publicity which costs them very little. Their constituents should want to know how much it really cost them for this publicity stunt.

I am sure Members would want to have this information so that some Member who claims he is making a \$2,125 contribution back to the Government will be sure to contribute at least the proper amount.

Finally, Mr. Chairman, if there is any trouble getting that information from the Clerk's office, the Committee on House Administration will order the Clerk to give it to any person who wants it.

Mr. ADDABBO. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Connecticut (Mr. GIAMMO).

As a member of the Defense Subcommittee, for the first time this year, I was able to extensively question the CIA as to their budget and operations. The answers given to the subcommittee were candid, forthright and to the point.

We discussed the CIA budget in great detail and frankly, I was surprised to learn the cost of the Agency was not greater. Most of us on the subcommittee felt the same way, I believe.

I do not believe that the CIA has been in any way adversely affected because

the members of the subcommittee know its budget. I do not believe that the new rules allowing all Members of the House to review classified information, including the budget figures for the CIA, will adversely affect the operation of the CIA. I do not believe the operations of the CIA would be adversely affected if the citizens of the nation know the budget total. We are not suggesting that how each dollar is spent be revealed. We suggest only that the dollar figure be revealed. I think it is a proper thing to do in this nation to make public wherever possible the budgets of Federal agencies, be their operations secret or open to public scrutiny.

My primary complaint with the operation of the CIA is that requests for action by the Agency are not made by written direction of the President. I think they should be. I also believe that certain activities which are now reported to the committee after the fact should be made known to the subcommittee before they take place. I see those issues less as restraints on the Agency but rather as a form of protection for the Agency, the President and the Congress so that future activities of the CIA do not cause a split in the united front of the American Government. Better to argue over the merits of a vital operation before it takes place rather than after it has been committed and cannot be undone.

I had intended, Mr. Chairman, to offer an amendment to this bill which would have added those two matters. I have been advised, however, that the amendment would be out of order as legislation on an appropriation bill. It is now my intention to offer the amendment to the foreign-aid authorization bill.

In closing, Mr. Chairman, the amendment before us is perhaps an unusual way to get to the heart of the question we in the Congress face as to the openness of our Government.

We certainly believe that the CIA ought to be funded; I especially consider the Agency, whatever its faults in years past, to be a vital part of our national security. But simply as a move to get the issue to debate, we have brought forward this amendment to determine the sentiment within the House concerning the question of full and open disclosure of all Federal Agency budgets.

Whether the CIA budget be a million dollars or a billion dollars, or two or three times those amounts, the people, the taxpayers, have a right to know.

And if the Russians would then also know, let them suffer, for disclosure will only show that our intelligence agencies can do as good a job as theirs can do, and for a lot less money.

I ask your support for the amendment offered by Mr. GIAMMO.

Mr. KOCH. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

(Mr. KOCH asked and was given permission to revise and extend his remarks.)

Mr. KOCH. Mr. Chairman, I rise in support of the Gianno amendment.

When I first came to Congress in 1969, like most freshmen, I received an invitation from almost every agency for a briefing on its functions.

I went to a number of them. One gentleman yield.

I was invited to visit the CIA. I went. My recollection is that there were 13 freshmen Members of Congress who were present. We went upstairs to the breakfast room, and we were served a very elaborate breakfast. CIA Director Helms was there. His staff briefed us with flip charts. It was very impressive.

Then Director Helms said to us: "Gentlemen, this is the first and last time that you will have an opportunity to ask any question you have concerning the CIA, so use it."

A number of people asked questions. I put up my hand, and I was recognized.

I said, "I have two questions, Mr. Helms. What is the size of your budget, and how many employees do you have?"

He said, "There are two questions that we don't answer. Those happen to be the two."

I said, "Are you telling me, that I, a Member of Congress, do not have the right to know what the budget is so that when I vote, I do not know what I am voting on?"

He said, "Yes." He said, "The item is placed in some other larger item, and you do not know."

I said, "Do you mean that it might be included under social security?"

He said, "We have not used that one yet, but that is not a bad idea."

Now, 6 years later, we are debating the Glaimo amendment, which has been offered by the gentleman from Connecticut.

As a result of a lot of exposés concerning the CIA, many people are very distressed about the nature of their activities. I am, and I am not one of those who believe that we do not need a CIA. I think we need a CIA, an agency to engage in intelligence gathering, but I am opposed to their illegal activities, although at the same time I do not want to hinder them in the pursuit of their lawful activities.

What is it that the Glaimo amendment seeks to do?

Again, going back to the 6 or 7 years that I have been here, I was told that, in fact, the CIA budget was only known to a very few select people; the Speaker, the chairman of the Committee on Appropriations, the comparable chairman over on the Senate side, and perhaps two or three others.

As a result of the latest revelations, we have changed that.

Now the whole subcommittee is aware of the CIA's activities and the country has not been destroyed. The country has not been damaged at all.

The Glaimo amendment caused something else to happen in that Committee on Appropriations. Now not only can everybody on the Defense Subcommittee of Appropriations be given this information pursuant to a new regulation, but all Members of Congress share this right. Notwithstanding whatever some Members may have been told, this right did not previously exist. Now we can all go to the file; yes, I suspect that we will be asked to agree in writing to respect the confidentiality of the materials because this is secret information. But we will be told the amount of the CIA's budget.

Mr. KOCH. I yield to the gentleman from Connecticut.

Mr. GIAMIO. Mr. Chairman, I will ask the gentleman from New York if it is a fair conclusion to draw that it is only since we offered this amendment in committee the other day that Members have been allowed to go down and get this information?

Mr. KOCH. It is not only a fair conclusion, it is the only conclusion.

Now everybody in the Congress, if they sign the appropriate papers, will be permitted access to the CIA budget. So now 435 Members of the House of Representatives can know, and do you know who else knows? The Russians. They undoubtedly knew, even before the subcommittee knew. The only people who do not know it are the American people.

We do know now the dimensions of the budget because it cannot be more than the \$2 billion-plus amount that is in that particular section of the bill, so it has got to be less than that because that section includes other items as well.

And the country, with this new knowledge, has not fallen apart. I doubt that the Russians are in a better position today than they were yesterday before that particular information was available to the American people. Indeed, in the Committee on Appropriations, our distinguished chairman made a very significant point and I give the gentleman credit for it. He looked at the nine volumes concerning the defense budget and he said this, and I am paraphrasing him because he said it much more articulately than I could. He said, "Those volumes are worth their weight in gold. We are the only country in the world that tells the whole world what our defense budget is. They know every plane, they know every ship that we build. They know everything about our armaments, everything. It is there in those nine volumes and it is available. You can buy it."

The distinguished chairman indicated that the Russians buy it regularly.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. Koch was allowed to proceed for 2 additional minutes.)

Mr. KOCH. So, Mr. Chairman, what I am saying is the fear that something terrible is going to happen to our country if we operate so that the American public knows the size of the CIA budget, is not a realistic fear. It is not realistic at all. The real fear on both sides of the aisle that some have expressed is, "Gee, if we do that, that is the first step."

Maybe it is, but whatever the second step is, it is what this House wants it to be, and if this House decides that this is the last step, so be it. If the House decides that it wants to have more information it will have to have a vote on it.

What is wrong with that? That is what is called the democratic system. We are sent here to be a part of that system.

Mr. ROBINSON. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

(Mr. ROBINSON asked, and was

revised and extend his remarks.)

Mr. ROBINSON. Mr. Chairman, in rising in opposition to the Glaimo amendment, I not only urge my colleagues to consider most carefully, in relationship to the overall national security interest of our country, what undoubtedly would be its effect; but what also looms disturbingly as its purpose.

I submit that they are one and the same—to kick an essential security agency while it is down; to make the CIA appear more disreputable, in the public view, than even its current representation by the news media; to disintegrate further its credibility and usefulness.

Before we risk compromising the remaining effectiveness of an organization vital to the gathering and analysis of security-related information, let us evaluate what already has been done toward insuring that further commitment of the taxpayers' money to the operations of this agency is justified fully as to purpose and amount.

For the first time, a full subcommittee—not only a few especially anointed members—has scrutinized the CIA budget. The agency was entirely cooperative. There was no disposition to withhold information. I am satisfied that there was full disclosure. I have the utmost respect for my distinguished colleague from Connecticut, but I cannot find any basis for sharing the gentleman's doubts as to this.

Full budget review was conducted. There are approximately fifteen hundred pages of testimony in the hearing record. The report process was followed fully. Then—after all the information we had requested was before us—we did not give the CIA a blank check; we did not give the CIA a check for the budgeted total. We reduced the CIA money by a significant amount. True, the precise amount of the reduction is not disclosed in the bill, or in the report. What is disclosed, however, is that we reduced the funding of the intelligence community—including the CIA—by a total of \$344 million—\$263 million for fiscal 1976 and \$81 million for fiscal 1977.

Still, there is this demand for full disclosure of the amount proposed to be allocated to the CIA. Does anyone genuinely doubt that this would serve any significant purpose other than to give aid and comfort to potential enemies—to enable them to be sure, through our own open acknowledgment, just how much we intend to spend in the area of intelligence responsibility assigned to this Agency; to ascertain the trend of our commitment to such activity—in-tensification or deemphasis?

Does anyone not realize that this would be the foot in the door—that the next demand likely would be for full public report language as to our intelligence appropriations?

The gentleman from Colorado, (Mr. EVANS), a member of the committee, reminded us of several of the immediate possibilities which could flow from specific public disclosure of the CIA budget total—a breaking down of this budget by category of expenditure; proposals for

flat percentage reductions, or increases; proposals to write in limitations against expenditures for particular purposes.

I ask you this:

Is there another country in the world does what we now are considering doing—reveal specifically the magnitude of its intelligence effort, and its cost?

I ask, further: What is the purpose to be served by long hearings by two select committees, if we are going to decide to reveal this most significant figure, in advance of their findings, as to the appropriate level of public disclosure of the extent and nature of the intelligence operations of the prime power of the free world?

I mentioned earlier that the CIA budget had the scrutiny, for the first time, of an entire subcommittee. Let me emphasize that the subcommittee has not reserved to itself the right of access to the details of the CIA budget, nor has the full committee.

All of this information is available to each and every Member of this House. I repeat—any Member may see and make an independent personal evaluation of this mass of material. All that is needed is to present one's self and request access. The only restrictions—and I believe any reasoning Member will acknowledge them as reasonable in the circumstances—is that the material not be taken from the room in which it is made available for examination, and that notes not be taken down.

I can state that I have shared the concern of many of my colleagues as to certain actions and judgments of the intelligence community. As a member of committee delegation which visited our outposts in the Far East during the August recess, however, and had the opportunity of being briefed by CIA officials in several countries, I can state that I came away with a reinforced conviction that substantial secrecy is essential to the operations of this Agency, and that its operations are essential to the national security.

The amendment before us has been characterized as merely "a first baby step" in the direction of better public understanding and appraisal of our intelligence investment. I submit that it is no "baby step" but, rather, a quantum jump toward destruction of our entire intelligence community, with immediate grievous damage to its effectiveness.

Secrecy in Government is distasteful to a free society, but preservation of our free society demands that we maintain a prudent cloak over vital intelligence operations, so long as the representatives of the people have the right to examine what is covered—as they do in this situation.

The ability of the United States to acquire and utilize the information required for its continued safety in an uncertain and perilous world would suffer from the adoption of this amendment. It must be voted down.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROBINSON. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, may members of your Defense Subcommittee

take notes from the testimony of the CIA, and use that information when they leave the room?

Mr. ROBINSON. I say to the gentleman from Illinois we were requested that we not do so.

Mr. YATES. You were requested not to but the fact remains you could do so.

Mr. ROBINSON. I would presume as a Member had I chosen to violate the request I might have done so, but we were requested not to do so and no material was taken from the room.

Mr. YATES. By whom were you requested to do that?

Mr. ROBINSON. By the chairman.

Mr. YATES. Is it the gentleman's contention that only the subcommittee should be allowed to hear the testimony in view of what the gentleman said that the CIA revealed everything to the committee and there was not a single thing that the CIA did that was not revealed in response to a question by the subcommittee? If that is true, why is it better than the previous system when only a few Members of Congress were allowed to hear the information from the CIA? Where does the gentleman propose to draw the line as to which Members of Congress are entitled to know the information of the CIA activities?

Mr. ROBINSON. I say to the gentleman the proper place to draw the line at least at the present time is the boundaries of the Defense Subcommittee with respect to this particular activity. It seems to me when this is the first time, the first budget, that has been brought before a full subcommittee, that subcommittee should have at least an opportunity to scrutinize the budget and do what it will with the budget, which it has done. If this does not meet the approval of the House, the House of course will have an opportunity to react at a later date. This is the first occasion, however.

Mr. YATES. Does the gentleman think it well then to have the procedure that the chairman of the Appropriations Committee has authorized, namely to permit all Members of the House to look at the information that the agency has given?

Mr. ROBINSON. I certainly agree that it is an appropriate procedure.

Mr. YATES. Then why should not the Giaino amendment be approved?

Mr. ROBINSON. Because I believe that we would be thus revealing the information to the public. That is what it amounts to, because once the information is printed in the report, it is there for everyone to see. Over the years it will give information to our potential enemies that they would not otherwise receive.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent, Mr. ROBINSON was allowed to proceed for 1 additional minute.)

Mr. EVANS of Colorado. Mr. Chairman will the gentleman yield?

Mr. ROBINSON. I yield to the gentleman from Colorado because I mentioned his name.

Mr. EVANS of Colorado. I appreciate the gentleman's yielding to me since he

commented on the remarks I made yesterday about obtaining the precise figures. For the benefit of those who were not here yesterday and in an effort to put that in proper context I was talking about whether or not we were going to be able to offer any amendments if the amount is disclosed, than we could now when we do not know the amount. My point was whether or not we know what the lump sum figure is we can put limitations on the bill right now.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(On request of Mr. EVANS of Colorado, and by unanimous consent, Mr. ROBINSON was allowed to proceed for 1 additional minute.)

Mr. EVANS of Colorado. Mr. Chairman, if the gentleman will yield further, right now, before consideration of the Giaino amendment, I could put an amendment on adding to or cutting from the budget by a simple blind percentage amendment. I could offer an amendment now, even before adoption of the Giaino amendment, limiting the CIA action on spending these funds in one area or another.

So I did not want the gentleman to feel that my comments were directed against the revealing of the total figure.

Mr. ROBINSON. I realize I was placing a somewhat different interpretation on the gentleman's remarks than the gentleman intended.

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. ROBINSON. I yield to the gentleman from New York.

Mr. KEMP. Mr. Chairman: I wanted to ask the gentleman if he does not think that the real problem if there is a fluctuation in the budget that it would be a signal readily recognizable to a potential enemy. It is not just the publishing of a raw figure that is at stake. It is whether that figure waxes or wanes over a period of time due to extenuating circumstances that would be telegraphing to an adversary that there was something going on that was extremely vital to the security of the United States in terms of intelligence gathering.

Witness the fact that the recovery of a Russian submarine was extremely valuable to our intelligence community in the United States so as to assess what an adversary was doing.

We must have accountability, those very strong steps toward greater accountability have been taken through the various oversight and special committees and I submit this amendment is a complete mistake and misnomer.

Mr. ROBINSON. Mr. Chairman, I thank the gentleman for his contribution.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the amendment.

Mr. Chairman, before I make a few remarks of my own, I would like to ask the gentleman from Connecticut a question.

Is it true that—without commenting on the exact accuracy of the figures—there have been published various accounts of the CIA budget at the present time in magazines, in newspapers, in

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pamphlets, which we can pick up anywhere we want around this city and that any potential enemy by assessing the source of that information and the person who put it out and comparing the relative similarity of cost estimates can make a fairly decent estimate as to what our intelligence in the CIA is right now?

Mr. GIAMMO: Mr. Chairman, the gentleman is correct. I do not want to comment on the accuracy of the figures, but just this week I received some mail from an organization in Washington, D.C.—I think it was Morton Halpern who sent it to me—which shows a breakdown of the CIA budget totaling \$750 million.

Then Victor Marchetti's book has a breakdown with the same amount. There are many other publications.

I recall some time ago the Saturday Evening Post had an estimated breakdown of the CIA budget. I do not want to comment on the accuracy of those figures either, except that I would suggest to the Members that they go to the Committee on Appropriations room and compare the figures with the figures now allowed by the committee and draw their own conclusions.

I would also say that the breakdown of the disclosure of the CIA budget would come as no surprise to any possible enemies of the United States. It has even been indicated by people in the CIA that that is not the real reason they do not want to disclose their budget figure. The real reason they do not want to disclose the figure is we right here in the Congress. They know that once we see the figure, we will be able to question it and we will be able to analyze its growth from year to year, and they will not have the same free ride that they have had in not having to respond at all.

Mr. OBEY: Mr. Chairman, I thank the gentleman from Connecticut.

I would just like to make a few remarks. I am sure all of us have heard the old political maxim from time to time that, "If you can't dazzle them with brilliance, then baffle them with B.S." In plain English that is really what we have heard in good large measure on this issue in the last few days.

I think the best thing we can do is cool our rhetoric on this subject. We are not taking any great step forward by publishing as a line item in this budget the total amount for the CIA. We are not harming in any significant way at all the national security interests of the United States by publishing this figure in the budget, as the gentleman's amendment would do. We are taking no great steps. We are doing no damage. All we are doing is making it more likely that each individual Member of this House, because that figure will be in that bill at a specific place, we are making it a little bit more likely that individual Members of this House will exercise their own personal responsibility and seek to find out more about what that figure means by taking advantage of the offer made by the chairman of the committee.

With that figure in the bill it provides a greater incentive for us to do this because we are going to be asked by our constituents not what the amount is—I have never been asked what the amount

is which we spend for the CIA—but they like to know. If I know, they want to know if I am doing my job.

I think the fact that this figure will be there in the budget will be a prod for us to make certain that we do our jobs. It just seems to be that the gentleman from Connecticut is right, that any intelligent human being in the intelligence operations of the Soviet Union or any other country can make reasonably accurate estimates at this amount about what we are spending on the CIA. I suspect that we can probably do, not quite as good a job, but we probably have a fairly decent estimate of what the Russians are doing as well.

I think most importantly, what adoption of this amendment would do, would be to symbolize that we are going to deal with this issue in a manner which is a little less silly than we have dealt with it in the past.

The CHAIRMAN: The time of the gentleman from Wisconsin has expired. (By unanimous consent Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY: Mr. Chairman, I think we would be doing a little bit more to convince our constituents that we are being a little less Mickey Mouse about this whole affair. No one is asking that any great intelligence secrets be revealed, but we are asking that this figure be put in the budget so that each of us will have a little more prod to exercise our own personal responsibility in overseeing the activities of the CIA.

I submit that there is some value, in contract to the statement made by the previous speaker, in having the American public know that there are fluctuations in the intelligence budget of the country, because that will prod them to ask questions which should have been asked for the last 10 or 15 years.

Mr. EVANS of Colorado: Mr. Chairman, will the gentleman yield?

Mr. OBEY: I yield to the gentleman from Colorado.

Mr. EVANS of Colorado: Mr. Chairman, I think the point the gentleman is making is excellent, but it stops short of another thing I think we ought to keep in mind.

If we are going to have a hidden figure in the budget for the CIA, we have to hide it someplace. Where do we put it? We have got to put it with something else. When we put it with something else, then we cannot disclose how much that something else is because all of us can add and subtract.

So, in effect, when we are tucking it away in another pocket in the budget, we are also making a secret of something else that should not be a secret. So, we should bring a little more sunshine in places other than the CIA.

Mr. OBEY: I thank the gentleman.

Mr. COHEN: Mr. Chairman, will the gentleman yield?

Mr. OBEY: I yield to the gentleman from Maine.

Mr. COHEN: Mr. Chairman, I am concerned about the issue, but more concerned about the gentleman's statement about making it a line item figure. That is going to prod me and any other mem-

ber of the committee to do a better job of investigating CIA activities. In looking down those figures and reading the transcript of the gentleman's subcommittee hearings, I honestly cannot say I know the figures in advance, but I am going to do a better job of making an evaluation unless I am able to question the witnesses as the gentleman from Wisconsin and the gentleman from Connecticut (Mr. GIAMMO) have done.

Mr. OBEY: Let me make it clear that I am not a member of the defense subcommittee. My only point is that right now we have an easy out. Whenever anybody asks us, "What do you know about the CIA?" I can say, "I do not know a blessed thing about it because I am not on the subcommittee which deals with it," and if the money is not there in the bill we have a very easy out.

Mr. YOUNG of Florida: Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, I still have the same questions I had before the full committee. I touched on them just briefly yesterday afternoon about what the end result is going to be as far as the sponsors of this amendment are concerned. The gentleman from Connecticut (Mr. GIAMMO) told us yesterday in his testimony that this was a circuitous route of first getting the will of the House.

I still would like to know what his end result is going to be, what he eventually wants to accomplish. I know this: I know that this year seems to be the year to kick around the CIA. It seems that every year we pick on somebody new.

I would not come to this floor and try to suggest to my colleagues that the CIA was totally clean and had never done anything wrong. Nor would I come to this floor and say that Members of Congress were totally clean and had never done anything wrong.

Mr. Chairman, I want to say this to the Members as sincerely as I can: The Government of the United States gave the CIA a dirty job to do. One just cannot do a dirty job without getting his hands dirty once in awhile. The Congress has already initiated an effort to clean up the CIA and get it out of any illegal activities.

Mr. Chairman, I am interested in whether the sponsors of this amendment really merely want this amendment adopted or whether they want something else, or whether they just want it to be another issue.

Mr. Chairman, let me take the Members back several years when the great issue was the Pentagon papers. We will not forget that very soon. The big deal then was the secret Pentagon papers. There was a great outcry from the Congress that Members of Congress and the general public had a right to see the Pentagon papers.

Through the sponsorship of the House Committee on Armed Services the Pentagon papers were made available to the Members of the House and Senate who wanted to see the Pentagon papers. All they had to do was go to the committee office and read the Pentagon papers for as long as they wanted. Within 30 days after the Pentagon papers were made

available to this House, despite the many outcries, less than 12—less than 12—of our colleagues went down to that office to read the Pentagon papers. Once the issue was decided, the interest in the issue of the Pentagon papers faded.

Mr. CHAIRMAN, I think that once the big issue is decided now as to whether or not we are going to open up the CIA for the world to see, the damage will be done, the issue will be over, and then we will look around for somebody else out to kick around.

As I said, this Government gave the CIA a dirty job to do. Espionage, intelligence-gathering and covert activities that must be engaged in to perform that duty is a dirty job, and anybody who carries on that job is going to soil his hands. That is just a fact of life that all the debate in the world cannot change.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. GIAIMO. I thank the gentleman for yielding.

Does the gentleman personally know about anything of those dirty jobs the CIA has done legally, illegally, or otherwise?

Mr. YOUNG of Florida. The gentleman knows that during our committee discussions last week I offered an amendment that would allow him to tell me that.

Mr. GIAIMO. If the gentleman will yield further, the gentleman is not answering my question.

Mr. YOUNG of Florida. The gentleman told me he knows of some things that were very, very bad, and I asked the gentleman in that committee to tell me, and he did not.

Mr. GIAIMO. Does the gentleman know anything about these dirty jobs that the gentleman is claiming that our Government gave the CIA to do? Does the gentleman know anything about the CIA?

Mr. YOUNG of Florida. The gentleman from Connecticut may be assured that I do know something about the CIA.

Mr. GIAIMO. I submit that the gentleman knows very little about these activities from his committee work.

That is exactly what we are trying to remedy here, to get the Members of Congress to know what is going on, because our people back home expect us to know.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Massachusetts.

Mr. CONTE. I thank the gentleman for yielding.

Mr. Chairman, the gentleman from Wisconsin said that there was a lot of BS on the floor here. I imagine he was referring to anyone who opposed the Giaimo amendment was full of BS and what they were saying on their side was the Giaimo amendment was fine rhetoric.

Mr. Chairman, let me set the record straight. I am not happy about the CIA, and the gentleman from Connecticut knows it. But I think we should be very open about this situation. The big argument here today and yesterday is that the Members do not have the knowledge,

except a little subcommittee work for the first time, of what the CIA does or what the budget is. This is not so. This is not so. Any member of the Committee on Appropriations, the gentleman from Wisconsin, the gentleman in the well myself, any Member, as I understand it—if the Chairman feels I am wrong in my interpretation, I would like to hear from him—has the opportunity, when the CIA is being heard by the Subcommittee on Defense, to attend those hearings. I understand that those are the rules of the committee.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. CONTE, and by unanimous consent, Mr. Young of Florida was allowed to proceed for 2 additional minutes.)

Mr. CONTE. Mr. Chairman, will the gentleman yield further?

Mr. YOUNG of Florida. I will yield to the gentleman.

Mr. CONTE. Mr. Chairman, that rule came about maybe 2 years ago, that any Member can sit in any other subcommittee and listen to the evidence.

So as far as I am concerned, under the new rule any Member of the Congress now has a right to go over here across the hall to the Committee on Appropriations and that Member can get the budget or can get anything else over there; is that true? --

Mr. YOUNG of Florida. To my knowledge, that is true.

(By unanimous consent, Mr. Young of Florida was allowed to proceed for 2 additional minutes.)

Mr. CONTE. Mr. Chairman, will the gentleman yield further?

Mr. YOUNG of Florida. Yes, I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I will ask the chairman of the committee, is that true? Do we have these rights and these privileges? Do I have a right to go over to the subcommittee of the Committee on Appropriations on CIA hearings and sit in on those hearings?

Mr. MAHON. Mr. Chairman, if the gentleman from Florida will yield, it is the policy of the Committee on Appropriations that members of the committee may attend hearings of a subcommittee of which they are not members. This has not always been the policy of the committee for a number of years.

Mr. YOUNG of Florida. Mr. Chairman, I refuse to yield any further.

Mr. GIAIMO. Mr. Chairman, if the gentleman from Florida will yield, I would like to know when the chairman of the committee changed this rule.

Mr. YOUNG of Florida. Mr. Chairman, I refuse to yield any further.

Mr. GIAIMO. Mr. Chairman, I want to hear the answer to that. Let us get these things out here. We want to get the facts out.

The CHAIRMAN. The gentleman from Florida (Mr. Young) has the floor.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. Not at this time.

Mr. Chairman, if I may use my time, I want to make this comment to the gentleman from Connecticut (Mr. Gia-

mo) in response to his earlier question: I will tell the gentleman it is true that as a member of the Committee on Appropriations I have heard very little discussion about the CIA and its activity.

Prior to serving on the Committee on Appropriations, however, it was my privilege to serve on the Committee on Armed Services, which has oversight jurisdiction of the CIA. If that is not the place to learn about the CIA, I do not know what would be. I do not know a better place to learn about the CIA. Except from the CIA itself.

Mr. Chairman, I would be happy now to yield again to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, I would like to ask the chairman of the committee when he changed the rule allowing members of the full committee to sit in on subcommittee hearings involving the CIA.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the distinguished chairman of the committee.

Mr. MAHON. Mr. Chairman, traditionally, for the last 28 years, the Committee on Appropriations has undertaken to maintain the secrecy of the Central Intelligence Agency and of certain other highly classified, top secret matters. Generally, we have not encouraged members of the Committee on Appropriations to attend hearings of a subcommittee of which they were not a member when classified and top secret information was being presented.

That has generally been the procedure which we have followed.

Mr. GIAIMO. And I would like to know from the chairman of the committee, when that was changed?

Mr. MAHON. Mr. Chairman, let me continue.

Now, since all Members of the House are permitted to read the hearings and to read the budget, it would seem folly not to consider having a rule that would permit all members of the committee who wanted to attend hearings of the subcommittee when they are considering top secret matters.

This is a matter on which I would like to have some more mature reflection so we can submit these issues to the Committee on Appropriations for further consideration.

That is my general feeling. I have no desire to be autocratic, as the gentleman well knows. I want to work with the members of the committee in determining some sort of solution with respect to this matter.

Mr. GIAIMO. Mr. Chairman, will the gentleman from Florida yield further?

Mr. YOUNG of Florida. Mr. Chairman, I will be happy to yield to the gentleman from Connecticut if he will first tell me and this Committee what his plan is for the ultimate step after this first baby step. Where will this lead us? What is the end result of the gentleman's efforts along this circuitous route?

Mr. GIAIMO. Mr. Chairman, if the gentleman has enough time, I will answer him.

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Mr. YOUNG of Florida. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, the "circuitous route." I will say to my friend, the gentleman from Florida, only deals with the preliminary test amendment which is presently pending before us.

I could have come here openly with an amendment naming the CIA figure and offering that as a line item. I chose to use this circuitous route to preserve the integrity of the amendment.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask a further question of the chairman of the committee to follow up the question asked by the gentleman from Connecticut (Mr. GIAIMO).

I believe that 2 years ago a new rule was established by the Committee on Appropriations that any member of the Committee on Appropriations could sit on any other subcommittee even though he was not a member of that subcommittee; is that right?

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. CONTE. Let us get at this piece by piece.

I yield to the gentleman from Texas, the chairman of the committee.

Mr. MAHON. It is correct to say that at some past time, maybe it was 2 years ago, I encouraged members of the Committee on Appropriations to spend as much time as they wished and could in learning about the whole spectrum of appropriations and in attending the meetings of all subcommittees.

Mr. CONTE. Let me ask this further question: At that time the CIA budget was considered only by yourself and the gentleman from Michigan (Mr. CEDERBERG)?

Mr. MAHON. No, no, no. It was considered by a group of members of the Subcommittee on Appropriations.

Mr. CONTE. This year the procedure was finally changed and the Subcommittee on Defense now acts on the CIA budget?

Mr. MAHON. The Subcommittee on Defense consists of 13 members, including an ex officio member. The Subcommittee on Defense heard the whole testimony with respect to the Central Intelligence Agency and other intelligence agencies.

Mr. CONTE. For the first time?

Mr. MAHON. It was the first time that the full subcommittee had done it. Earlier a smaller group had done it.

Mr. CONTE. That is the point I am trying to get at. Therefore, then, under the rules of the committee, any member of any other subcommittee could sit in on those hearings?

Mr. BAUCUS. Mr. Chairman, will the gentleman yield on that point?

Mr. CONTE. I am trying to get this straight. Yes, I yield to the gentleman from Montana.

Mr. BAUCUS. On that very point, it is with very deep regret, even though I have heard what the chairman has said, that several months ago, when the Subcommittee on Defense was getting around to considering the CIA budget, I, a member of the appropriations, full

committee, but not a member of the Subcommittee on Defense, asked the chairman if I could sit in on the deliberations on the CIA's budget. I was at that time informed that I could not.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. CONTE. Yes, I yield to the gentleman from Texas.

Mr. MAHON. The statement of the gentleman from Montana (Mr. BAUCUS) is correct.

We have tried and tried and tried to hold the secrecy of these matters as closely as we could. It is true that I discouraged attendance at such meetings and asked the gentleman from Montana (Mr. BAUCUS) not to undertake to attend the meeting. The rules of the House state: "All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office record of the member serving as chairman of the committee, and such records". That is, the records of all committees, including the special or Select Committees on Intelligence, perhaps—"such records shall be the property" of the House, and all Members of the House shall have access to them."

With respect to my conversation with the gentleman from Montana (Mr. BAUCUS), and in view of possible implications of this rule, the complexion of the whole situation has changed.

What I say now, on more mature consideration of the whole matter, is that I would like to present this to the full Committee on Appropriations to determine how we want to handle this in the future. Probably it will be decided that all Members may attend the CIA hearings.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. CONTE. Yes, I yield to the gentleman from Connecticut.

Mr. GIAIMO. Did the gentleman have a question?

Mr. CONTE. I just want to get this straight.

Mr. GIAIMO. The gentleman from Massachusetts (Mr. CONTE) referred to a meeting of 2 years ago. I recall it well. It was with the chairman.

That was a new first, too. We have had many new firsts in our committee, as the gentleman knows, in recent years, when the gentleman allowed members of the full committee to go to any subcommittee hearing.

When we discussed that, the chairman of the Subcommittee on State, Justice at the time, the gentleman from New York, indicated that other members would not be allowed in his subcommittee.

Does the gentleman remember that?

The chairman handled the intelligence matters, and obviously, one could not go and attend an intelligence hearing on the DOD Subcommittee because even we members of the subcommittee did not know about them.

It is only this year, for the first time, that we have seen the budget. In effect, what we are saying is that since last Thursday the rule was relaxed. Since then all Members of Congress are allowed in to look at the budget.

Mr. MOSS. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

(Mr. MOSS asked and was given permission to revise and extend his remarks.)

(On request of Mr. MAHON and by unanimous consent, Mr. MOSS was allowed to proceed for 2 additional minutes.)

Mr. MAHON. Mr. Chairman, will the gentleman yield for a brief question?

Mr. MOSS. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, 2 years ago I emphasized the freedom of all members of the committee to attend the hearings of all subcommittees. I did not announce that as a change in policy, that has been the policy for the 10 years that I have been the chairman of the committee. My predecessor did not follow that policy and I remember vividly not being able to attend certain hearings. I have never supported the idea that members of the House Committee on Appropriations should not be able to attend the day-by-day and ordinary hearings of the subcommittee.

Mr. MOSS. Mr. Chairman, I do not want to kick the CIA. I am convinced that this Nation needs a strong and effective intelligence agency. I am equally convinced that the amendment offered by the gentleman from Connecticut (Mr. GIAIMO) will in no way diminish the effectiveness of the Central Intelligence Agency. On contrary, if the House and the other body had acted some 21 years ago when I joined with a large group of Members in introducing legislation to create a Joint Committee on the Central Intelligence Agency, it would not today be in the mess it now finds itself in.

I think that the disclosure of this line item is the minimum that the American taxpayer has a right to know. The American taxpayers need to know about their Government. It is not going to impair in any way the effectiveness of this Agency's operations—and I am not unfamiliar with its operations. I chaired for 15 years the Information Subcommittee of this House. For 12 of those 15 years its jurisdiction also included Foreign Operations, foreign operations where oversight was maintained with a great deal of care throughout the period of the war in Southeast Asia. I am quite familiar with the operation of the agency in Southeast Asia.

I point out to those Members who do not know the difference between this country and others, and the fact that we become unique in disclosing this, thank God, we do become unique. We have grown great and have maintained our strength as an open society and we should continue to be an open society to the maximum consistent with our true security requirements.

I do not want us to emulate the Russians or the Chinese or even our British brethren in the operation of the various agencies of their governments under their officials' secrets acts and other areas. I want us to realize the strength that we gain from an alert electorate and an informed electorate. God knows they

pay enough in taxes to entitle them to have a better idea of where their dollars are going.

Let me say this also, it is very important that we take corrective steps in this case to reestablish fully the credibility of our Government and we have not done that. We are beginning to make the right moves to reestablish that credibility.

This Nation experienced severe trauma following the disclosures that led to the first resignation of a President of the United States.

Make no mistake about it, there is great cynicism and a great lack of trust in the institutions of Government on the part of our people today.

This step, modest, indeed—and it is a most modest step—to put a line item in saying, "CIA, a number of hundreds of millions of dollars," I can assure the Members, is not going to break as some new and startling revelation on any sophisticated nation maintaining intelligence activities.

We have been told we have given this agency a dirty job, but we did not give it a job as dirty as the job it has done, and we did not intend that in some instances it be given as dirty jobs as it was given. In fact the agency, had it been under better supervision of the Congress, would not have taken the assignments, which clearly were unlawful, as our other domestic intelligence agency which does have a line item in the budget. It would not have undertaken some of its dirty and unlawful jobs with proper oversight.

As to this matter of disclosure within a committee, let me make it very clear this record that the rule which says that all of the papers and records of the committee shall be kept separate from those of the chairman and be open to the inspection of any Member of this House has been the rule of this House for many, many years, long before I became a Member of this House. I recognize that many Members and many chairmen were not aware of this. I recall when the late Claire Hoffman of Michigan utilized that rule in my Committee on Government Information, and I recall that in connection with his use of it, the late Speaker Rayburn made a ruling as to what it entitled the Member to.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. Moss was allowed to proceed for 3 additional minutes.)

Mr. MOSS. It entitled him to inspect the records, not to remove them. In that case, Mr. Hoffman wanted to remove them. So it is not a new rule; it is just one of those instances where it is being apparently now observed.

Mr. JOHN L. BURTON. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I am pleased to yield to my colleague, the gentleman from California.

Mr. JOHN L. BURTON. I thank the gentleman for yielding.

I would like to associate myself with his remarks. I think it is fair to say that the Governments of the People's Republic of China and the Soviet Union know more about the intelligence activities and the amount of money spent on them than do the American people. I would just

point this out. Any time one drives into Washington, D.C., from Dulles, he sees a great big road sign that points to the CIA Headquarters.

Mr. MOSS. Oh, but may I say to my friend that that did not used to be true. One could not even find a sign. Everyone knew it was there, but no one acknowledged it.

Mr. JOHN L. BURTON. If the gentleman will yield further, that is the point I am making. The sign is there for all to see. As far as I know, no damage except from within has come to the CIA with the public disclosure by the turnoff sign on that highway.

Mr. MOSS. The gentleman is correct.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Would the gentleman tell us whether or not this amendment that is pending now, if adopted, would satisfy him?

Mr. MOSS. This amendment, as the gentleman from Connecticut explained in using the term "circuitous," would then require an additional amendment setting out the line item, because it would say that the funds in this figure of \$2,010 billion could not be expended for intelligence purposes. Then, of course, a technical amendment to make necessary transfer of one item to another would undoubtedly be required.

Mr. YOUNG of Florida. Will the gentleman yield further?

Mr. MOSS. I yield to the gentleman.

Mr. YOUNG of Florida. At this point, now the gentleman has discussed three amendments. Is there going to be a fourth amendment and a fifth amendment and a sixth amendment? Where is this going to stop?

Mr. MOSS. No; if the gentleman will reflect upon parliamentary procedure, he is faced with really a very simple and not a complicated matter. It is merely a logical progression from one point to a final objective, which is not unusual and is not complicated.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MOSS. Mr. Chairman. I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. STRATTON. Reserving the right to object, Mr. Chairman, the sponsors of this amendment have had a great deal more time than the opponents and it seems to me there ought to be a more careful apportionment of the time. Therefore, I object to the extension of the gentleman's time.

The CHAIRMAN. Objection is heard. Mr. STRATTON. Mr. Chairman. I move to strike the requisite number of words.

Mr. Chairman, I have been impressed with the number of people who have spoken here in support of the amendment who have also indicated their strong support for the CIA. I am reminded of the statement that was made by someone: "I can take care of my

enemies but God protect me from my friends."

This is a dangerous amendment and I strongly oppose it. I oppose it for three specific reasons.

First of all, this is an exercise in what I would regard as legislative brinksmanship. The amendment before us would actually abolish the CIA. It would take away all of its money, and if the amendment succeeded the CIA would cease to be operative unless of course it were rescued perhaps by the other body or in conference. Let us not make any mistake about that.

The gentleman from Connecticut tells us he is going to offer another amendment later on if this one carries, but I think there is a real question as to whether another amendment would be germane because that would put money back into this bill for the CIA and this happens to be a defense bill not a foreign intelligence bill.

This is too important a matter for us to be tinkering with it through this kind of legislative legerdemain.

The people who are offering this amendment say: "We are all for the CIA. We just want to improve it a little bit." But what many of us have been worrying about is that these efforts to investigate the CIA and improve the CIA could well end up destroying the CIA. We have been urged even by such liberal publications as the New York Times to be cautious here in Congress and not throw out the baby with the bath. But this is precisely what is very likely to happen if we adopt this amendment and start down this particular road.

The second point I want to make is that obviously there is a great deal more to this legislative effort than just putting in one line item of the total amount of the budget of the CIA, since this much, as has been indicated, is already available to many Members of Congress. In fact, I think there are more than 50 Members of the House and the Senate who exercise oversight control over the CIA today. There is the CIA Subcommittee of the Armed Services Committee, the Defense Appropriations Subcommittee, and similar committees of the other body, a subcommittee of the Committee on International Relations, and the Committee on Government Operations.

I believe it is perfectly obvious that if Members really want to protect the CIA, if they really think it is important that we should have an intelligence agency, then there have got to be secrets. Any 5-year-old knows that the more people who know a secret the less chance there is of keeping that secret a secret.

What good does a CIA line item do in the budget? Once we have the specific line item there, then we will have to defend the line item. We are not talking here about what the members of the Appropriations Committee know about the activities of the CIA or the amount of money expended. What we are talking about is what is made public. You simply cannot discuss a line item and justify it and defend it here on the floor without thereby broadcasting it to the world and to our enemies, to the Soviet Union and

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to the KGB. That is what this amendment is all about. The only purpose of having a line item is so that we can argue it one way or the other on the floor.

But how can the gentleman from Colorado (Mr. EVANS) get up and say he wants to reduce this item by so much unless he also discusses what is the activity that he wants to reduce and why he thinks it ought to be reduced. So let us not kid ourselves as to what we are talking about here.

My third point is that this amendment is seriously premature. What is it that we have gone through in this body in the last few months? We have decided as a result of a lot of trauma that we have got to establish more congressional oversight over the CIA.

Some of us have felt that if we are going to exercise that oversight, if we are to be able to carry it out in such a way that we do not destroy the CIA and yet at the same time protect the procedures of democracy, we have concluded that we here in this body and in the other body ought to set up new select committees whose primary function is not primarily to go through all the past horrors of intelligence and get all the publicity on television, but to consider carefully some of these detailed and complex question that concern the proper functioning of intelligence operations in a free society and then come back here and make their specific recommendations to this body.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. STRATTON was allowed to proceed for an additional 2 minutes.)

Mr. STRATTON. Mr. Chairman, we have set up these select committees to make recommendations to this body after they have considered all the implications involved of questions such as these: Should we publish and what should we publish about our intelligence operations? How many Members of the House should be privy to the CIA secrets?

Can we operate a secret intelligence agency in a democracy? These are the kinds of questions that have to be answered by this House on the recommendation of the select committee. Why we do not even have in this body, with all our rules, a single rule that relates to the protection of classified material. That is a serious oversight. That is the essence of the present hassle between the gentleman from New York (Mr. PACE) and the President of the United States. Certainly we ought to have some rules and guidelines to deal with this very vital matter.

So, why in heaven's name are we trying now to proceed to answer these questions on the basis of the half-baked amendment that is before us now, without even waiting for the recommendations of our own committees? Let us not try to do this thing hastily. We have waited long enough for these recommendations. Let us give the gentleman from New York (Mr. PACE) time to conclude his hearings and make some recommendations on these matters, before they take the ball away from him and run with it.

The gentleman from Connecticut (Mr. GIAMKO) who offers this half-baked amendment is himself a member of that select committee, yet for some strange reason he does not even want to give his own committee the opportunity to make its recommendations on one of the most important items on its agenda.

So let us vote this amendment down. Let us continue as we have done and wait in an orderly way for the recommendations of the Select Committee on Intelligence.

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to my friend, the gentleman from New York.

Mr. KEMP. Mr. Chairman, I want to congratulate the gentleman for his statement and also to underscore what the gentleman has said, with regard to the steps that have already been taken to bring accountability to CIA. The proponents of the amendment are trying to tell us this is the only step that we have taken that this step will have to be made toward accountability or else there won't be any. This is wrong.

The committees of Congress; the investigation of illegalities by the Senate and House; and the willingness to allow all Members to see the so-called concealed budget figure are examples of reforms. Let me say this word "conceal" is just a pejorative euphemism for "classification." I believe we need certain information vital to the national security of America classified and every President and Congress from 1932 till today agrees. I thank my friend Mr. Stratton for his leadership.

The CHAIRMAN. The time of the gentleman from New York has again expired.

(At the request of Mr. SIKES and by unanimous consent, Mr. STRATTON was allowed to proceed for an additional 2 minutes.)

Mr. STRATTON. Mr. Chairman, I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I, too, want to commend the distinguished gentleman in the well for a most effective and penetrating statement that I trust will be very carefully considered.

Now, Mr. Chairman, I hope that we in the House will ask ourselves what earthly good could come from disclosing everything that can possibly be revealed about America's defense and America's security.

It seems to me it should be obvious that if we take this first step on the disclosure of intelligence information, it is the beginning of full disclosure on anything and everything that we have tried to keep secret from our enemies. It should be clear enough that the only people who really want this information, who do not have it now, are our enemies and the American press, each for their own purposes.

The American people are not asking that these secrets be divulged. The American people want our country to be just as secure as it possibly can under present conditions and circumstances.

I trust that we in the Congress will use sound judgment and wise discretion and vote down this amendment.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Mr. Chairman, I think the gentleman makes an argument that will not hold water. The gentleman says, if we bring the figure out, we have to defend it. I suggest that I can put an amendment in right now to strike 3 percent, 5 percent, or whatever, and the figure would have to be defended, even though not disclosed. That is true, regardless of the figure in the bill, even though we do not know what the amount is.

Mr. STRATTON. Mr. Chairman, I think it is obvious once we have a dollar figure there is going to be some detailed, public discussion of what activities the dollar figure supports and then, obviously, the next step is going to be an insistence that we publish the entire breakdown within that figure.

Mr. LONG of Maryland. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just wanted to ask the gentleman from New York a question, among other things.

Let me point out that I know what this figure is. I have taken the trouble to look it up. But, it has already been pointed out by the gentleman from New York that 50 Members know this figure. Knowing the past behavior of our colleagues, I would be thunderstruck if they had all been so discreet as to make sure that nobody on their staffs knew about it and that it was not known by the enemy. I believe even the press has considerable information on it. Only the American people do not know how much is spent by the CIA.

We have nine volumes of the appropriation hearings telling the enemy all about our national defense—every aspect of it. We have admitted that we cannot discuss national defense without letting our people and the enemy know about it. What is the difference on intelligence? I wonder if the gentleman could tell me just exactly what use the enemy can make of the figure?

Do not tell me that this would confirm their knowledge of it, but just tell me: Even if the enemy absolutely knew how much we spent on the CIA, what use can they make of it?

Mr. STRATTON. If the gentleman will yield, I think the answer is obvious, considering the kind of debate which takes place on this floor. When we talk about the school lunch program, for example, somebody may want to cut the program by 5 percent. If they do so they may point out the number of children from \$20,000 homes who are standing in lines in schools and getting free lunches. When you move to increase or reduce figures on the floor of the House regardless of what the bill is, you have to discuss the actual operations those figures finance.

So if one is going to cut the CIA, one might say, "I do not think we ought to know what other countries are broadcasting on their communications circuits. This is interfering with their individual human rights and we ought to eliminate communications." And when he

says that he discloses something about CIA operations.

Mr. LONG of Maryland. With all due respect to the gentleman, I did not ask about school lunch programs. I asked him about CIA operations.

Mr. STRATTON. What I have said is that we cannot discuss any reduction of any program, including intelligence, here on this floor, without talking about the details of the particular program. If we have a line item in the bill for the CIA, and if the gentleman from Colorado (Mr. Evans) wants to reduce it say by 15 percent, he is going to have to tell us what particular operation he wants to reduce and why he thinks that operation is not effective. And thereby we are going gradually to get the detailed operations of secret intelligence agencies out to the public and to our enemies.

Mr. LONG of Maryland. I want to say to my friend from New York that in my estimation he is esteemed as one of the staunchest defenders of our national defense, and I am also one. I asked him what specific use the enemy would make of that figure. The gentleman has not told me.

Mr. STRATTON. Well, suppose the discussion got heated, and some Member wanted to cut down on the number of overseas CIA employees. In that case somebody else might stand up and say "Oh, you cannot do that because we have got 10 employees in Peking who are giving us a detailed report on everything that Mao Tse-tung eats for breakfast." Perhaps Mao Tse-tung might not know at we have got 10 CIA employees over there, and that remark could do grave damage to our intelligence operations, to say nothing of the lives of the agents involved.

Mr. LONG of Maryland. Could the gentleman from New York tell me where the amendment offered by the gentleman from Connecticut (Mr. GIAMMO) has anything to do with the number of employees in intelligence?

Mr. STRATTON. Once we have a dollar figure for CIA included in the budget which we are going to discuss on the floor of the House, we are then much more likely to disclose vital information about the operations which are funded under that figure when it comes to defending that figure, or comparing it with the figure from a previous year.

Mr. LONG of Maryland. Could the gentleman tell me just exactly how knowledge of that figure would lead to that? I do not understand.

Mr. STRATTON. I do not know how I can express it in any more simple words than what I have already used. If we have a specific budget figure, then it is bound to provoke a detailed discussion on the floor just as we are doing in this discussion now and such a discussion is very likely going to deal with specific operations of the CIA that are funded by this amount and which should not be made public.

Mr. LONG of Maryland. Can the same answer be given that is given so far, that we are not free to disclose the number of people in Peking, but how much are we spending on the CIA altogether here?

Mr. STRATTON. I do not honestly be-

lieve that all Members of the Congress are as dedicated as is the gentleman from Maryland to not discussing publicly some of this highly sensitive information.

Mr. LONG of Maryland. The gentleman agrees that not every Member of Congress is so dedicated, but the gentleman already admits that there are 50 people who already know. Does the gentleman honestly believe that the Russian high command does not know how much we are spending? Does the gentleman honestly believe that the Russians do not know how much we are spending?

Mr. STRATTON. Mr. Chairman, the gentleman has missed the point that I made. It is not that we have 50 Members who know what the CIA is doing. My point is that when we start discussing on this floor what those 50 Members know then there is a grave risk that facts may get into the public press and thus get directly to our enemy.

Fortunately, the 50 Members who are now privy to these details have not, so far as I know, leaked any of them, and I hope that continues. But if we get heated floor discussions of the CIA budget, then these facts are bound to be leaked.

Mr. BURLISON of Missouri. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BURLISON of Missouri asked and was given permission to revise and extend his remarks.)

Mr. BURLISON of Missouri. Mr. Chairman, this subject has been exhaustively debated, and I will try to be brief.

I do want to say that we started for the first time this year to require the intelligence community to appear before the Defense Subcommittee which has the original jurisdiction over this budget. It has been my observation, Mr. Chairman, as a first-year member of that subcommittee that this has worked well. It is my opinion that the intelligence agencies have been forthcoming, they have been complete, they have been thorough in their response to questioning by our subcommittee. So I am saying that, if it has worked so well to this point after one year, why not see if it will continue to work?

Mr. Chairman, the alternative to that is the amendment offered by my friend, the gentleman from Connecticut (Mr. GIAMMO). In essence, it will mean that not one subcommittee of the House or two subcommittees of the House and a comparable number on the Senate side will be privy to the line item appropriations. It means that the whole country, and the enemy as well, will be.

Mr. Chairman, it is my feeling that the oversight of our subcommittee has temporized and moderated the intelligence community and its activities. If the amendment offered by the gentleman from Connecticut is approved, we will not have a moderation or a temporizing of those activities; we will have an elimination, a termination, of them.

There is no way that we can have a line item in the appropriation for this agency—and all of the other agencies in the intelligence community, which will

be the next step—and still have a secret intelligence operation. There is no way that it can be done.

Mr. Chairman, the gentleman from Connecticut, in response to my question yesterday, pointed out that his amendment goes only to the CIA, and he agreed that there are a number of other components of the intelligence community. So not only is his amendment the first step, the line item, which next year will be broken down into "clandestine" or "covert," or the other breakdowns within the CIA budget, but it will also include as the next step the rest of the intelligence community.

Mr. Chairman, I submit to the Members that, if the amendment offered by the gentleman from Connecticut is agreed to, the public and this House is really not going to know essentially more than they know now because the CIA is just one segment, one element, of the intelligence community.

In conclusion, Mr. Chairman, if this amendment is adopted it will totally paralyze the intelligence community.

Perhaps with the present climate in this body and the present climate in this country, that has to come. Maybe that is what ought to be done; maybe that is what must be done.

I am just telling the Members that if this amendment is adopted, that will be the effect of it. We cannot have an intelligence operation with this approach.

Mr. JOHN L. BURTON. Mr. Chairman, will the gentleman yield?

Mr. BURLISON of Missouri. I yield to the gentleman from California.

Mr. JOHN L. BURTON. Mr. Chairman, I will ask the gentleman, is there not a provision in the Rules of the House on matters that are so vital to national security that if we were discussing the CIA's activity, the House could convene in secret session and at least the Members of the House would know these things but not the taxpayers who pay for this information? Is that not the effect of the rule on these matters contained in the Rules of the House of Representatives?

Mr. BURLISON of Missouri. Perhaps the gentleman is correct in what the procedure could be. I would submit to the gentleman that in the judgment of this Member, the new rules as promulgated and announced by the chairman of the full committee should certainly be adequate for that purpose.

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I move to strike the requisite number of words.

(Mr. ROBERT W. DANIEL, JR., asked and was given permission to revise and extend his remarks.)

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I have refrained so far from participation in this debate. I served for some years as a career officer with the Central Intelligence Agency, and I have been apprehensive that my participation might seem self-serving in some sort of retrospective way. However, I feel compelled now to emphasize one point against this amendment offered by the gentleman from Connecticut (Mr. GIAMMO). This point has been touched upon before.

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As a previous speaker said, as hard as we look, it would not be possible to discover from overt sources the budget or staffing levels of the intelligence services of the world; not of West Germany's N.D. or Israel's Mossad or the SDECE of France or the Kung An Pa intelligence service of Communist China.

The reason for such secrecy is very clear, because among the major targets of any intelligence service are those intelligence services which oppose it. Any information whatever about the opposition service is valuable, information such as budget trends and budget components. It is a characteristic of intelligence work that conclusions and estimates are built up like mosaics, out of many bits of information which, when put together, form a pattern and perhaps a revealing picture.

Mr. Chairman, I might feel differently about this amendment if it were the sole objective of the gentleman from Connecticut (Mr. GIAMMO) to make budget information available to the Members of this body, because I feel strongly that the Congress should exercise an effective oversight function over the CIA and the rest of the intelligence community.

However, the beneficiaries of this amendment will not be the Members of Congress, because the budget information in question is already available to them if they want to take the trouble to go and look at it. The beneficiaries of this amendment will be the public at large, and this includes the intelligence services of the world.

A vote for this amendment will be a vote to enhance the knowledge of opposing intelligence services about our own intelligence community. I could predict with confidence that this would only fuel further demands for more public revelations about our intelligence operations.

A minute ago we were talking about what these line item figures could mean year to year to opposition intelligence services. They could be of great use. If one year a promising technical means of collection were developed against hostile powers at a given budget figure and the next year that figure had swollen tremendously, somebody would ask the question: Why? There would then follow debate about the intelligence collection technique. Would we not then be clueing the target country so they could then defend themselves against this means of collection? To me, nothing could be more simple.

Mr. Chairman, I cannot understand how any Member of this body who places the interests of this country first can support this amendment, and I very strongly urge its defeat.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. ROBERT W. DANIEL, JR. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I appreciate my colleague's yielding.

I do not think it is self-serving at all for the gentleman to speak, because he has had experience in this Agency and specific intelligence experience. I think it can be helpful to many of us who cannot now see the advantages or disadvantages of this Giammo amendment.

Will the gentleman describe a little further how further scrutiny in greater detail of the dollar amount given to the CIA could be helpful to a potential enemy?

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I think a point was well made a minute ago by one Member who was speaking for the amendment who indicated that it would not be any great windfall for the KGB or the Kung An Pa to have the absolute dollar figure for the CIA revealed. However, the trends of the dollar figure, and the size and trends of the components and as they relate to the total, if they were revealed, would be very damaging to the Agency.

The money, after all, is for intelligence operations; and the figures would let them know what we are doing.

Mr. ROUSSELOT. What the gentleman is saying is that when the dollar figure would be debated on the floor and if the House were given minute data that open action on the floor could in fact hinder the intelligence-gathering capability. In answer to the question that the gentleman from Alabama (Mr. EDWARDS) raised yesterday, if someone wanted to reduce the CIA budget 5 or 10 percent and somebody on the subcommittee who had knowledge of the purpose for which those dollars would be used, such a member of the committee, in his efforts to try to prevent such cuts could, in fact, cause detrimental problems for our U.S. intelligence-gathering operations. Is that correct?

Mr. ROBERT W. DANIEL, JR. The gentleman is entirely correct.

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. ROBERT W. DANIEL, JR. Yes, I yield to the gentleman from New York.

Mr. KEMP. Without trying to sound dramatic, I think it is also important to recognize that there are people's lives at stake. For instance, there are many dedicated agents' lives at stake. They are carrying out vital functions on behalf of the security of this country, and at some point if there was a fluctuation in the budget of our intelligence-gathering Agency it might again, as I mentioned several times, signal to the enemy that there is a project under way, and jeopardize lives and the success of their mission. I think it would be a vast mistake to start this process, especially when these dedicated men and women are risking their lives to gather the intelligence so necessary to peace and the Nation's defense.

Mr. EDWARDS of Alabama. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. EDWARDS of Alabama asked and was given permission to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Chairman, this has been a very enlightening debate, and one that is of great concern to the parties on both sides.

I am greatly concerned. I wonder how many ways there are in which I can talk about disaster in 5 minutes. This is what I feel would be the result of this amendment.

The gentleman from Connecticut (Mr.

GIAMMO), a gentleman for whom I have great respect, said in his remarks yesterday that Rome was not built in a day, and that we will be going further in this direction later.

I think herein lies the great problem. It is not just a matter of putting a figure in the budget today, but, as others have said, it is a matter of how we amend that figure in the future. It is also a matter of how one compares that figure to other figures in future years, and it is also a matter of when we then move to other intelligence operations and put those figures in the budget.

Where do we finally stop in an open general debate on the subject of our intelligence activities in the years to come?

This is the problem that I see. We can talk about all the past years of secrecy in this Government and how there is precedent for what we are doing. We can talk about all the legal reasons by which we can justify what we are doing, but that is really not what we are here to talk about today. What we are talking about today is whether we, in fact, are going to open up, not for our citizens and our colleagues and our voters, but for the enemies of this Nation to see, what we are doing in the intelligence field. That is the only issue before us today.

Mr. Chairman, I happen to believe that the good folks of this country do have a basic faith in the people in this Congress and in our committee to try to do what is right as far as the intelligence activities of this Nation are concerned.

It is fine to talk about the fact that we have a unique and open society, as the gentleman from California did. I am proud of that unique and open society. It is fine to talk about credibility in Government, and I think we need credibility in Government. However, I think we destroy the credibility of this very Government when we start handing out, for the world to see, everything we are doing in the intelligence field.

I think it is foolhardy not to pay attention to the way the enemy operates and somehow be able to meet him on the intelligence battle, if you will, in a way that will bring about the right kind of information that we need in this country.

I want to commend the gentleman from Connecticut (Mr. GIAMMO), not for offering the amendment because I wish he had not done it, but for the way in which he tried to do it. Yet, I must say that even in the offering of the amendment that he has proposed, he has divulged for the first time where CIA money is in the budget. Therefore, now, if the gentleman from Connecticut is right, everybody knows it is in "Other procurement, Air Force."

I think that even this is going too far, if we are going to have a proper intelligence community to work for the benefit of this Nation.

Mr. GIAMMO. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Connecticut.

Mr. GIAMMO. Mr. Chairman, the gentleman from Alabama asks, Where do we go from here? The whole thrust of this debate by those who oppose the amendment is that anything which we do or say

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or divulge is going to give aid to the enemy.

Mr. EDWARDS of Alabama. The gentleman is correct.

Mr. GIAIMO. Obviously, if we are going to look solely on what we do here as it affects a possible enemy then we would do absolutely nothing, and we would know absolutely nothing about these agencies. That would be the safest course. But there is another course, as the gentleman knows, and I know the gentleman is troubled by it, and that is to restore a balance.

The balance being the danger from external enemies and the danger from secret internal enemies or their agents. There are dangers from possible secret big governments. This concerns the American people, particularly today when we are reading that some of these very agencies are violating the laws, spying on the President of the United States, reading his mail, breaking the law in reading the mail of Senators and Congressmen. We may say, well, they are not sacrosanct, but we live in a real world. Just imagine what an agency that does not hesitate to spy on the President of the United States would not hesitate to do with the average citizen. This concerns me. I want to restore the balance.

I do not think that we are going very far in doing something to restore the balance. Certainly, we do not want to give evidence of our intelligence operations to any possible enemies of our country. The gentleman knows that I agree with him on that. But I think our people would rest more securely if they felt that we in the Congress were really concerning ourselves with what these agencies are doing.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. GIAIMO and by unanimous consent, Mr. Edwards of Alabama was allowed to proceed for 2 additional minutes.)

Mr. GIAIMO. I think the American people would rest better if they knew that we in the Congress were looking into what these agencies are doing. The fact is that to date we have not done so. We are beginning to do it now. In fact, we have made great progress in the last year, as the gentleman well knows, but we have more to do. I think this is a necessary step.

Mr. EDWARDS of Alabama. In retrospect, I think it is fair to say that there might have been a better way to handle the CIA's budget in the past. I don't fault those who have been responsible for the budget in the past. But I do think we took a tremendous step this year in bringing the budget to the full subcommittee on defense where it has had the closest scrutiny it has ever had in the history of the CIA. I do not think there is any question about that.

The thing I am trying to say is let us let that system work.

I do not agree for a minute that the gentleman from Connecticut is interested in divulging these things to our enemies, but I do agree that the import of what the gentleman is starting to do will lead toward that just as sure as I am standing in this well. And I further argue that

neither the gentleman from Connecticut nor the gentleman from Alabama can stop it once it starts. That is what concerns me so greatly and that is why I think we must defeat this amendment at this time.

Mr. GIAIMO. We are not asking very much. We are not divulging anything by offering this amendment, we are not jeopardizing security, so why must we follow the same old concealment route? It is time this concealment be stopped. In recent times we have seen the damage which concealment in big government causes to our Nation.

Mr. EDWARDS of Alabama. I suppose I might agree with the gentleman from Connecticut if I thought it would stop here, but it is not going to stop here.

I reiterate what I said a moment ago that with all the best intentions of the gentleman from Connecticut and all the best intentions of the gentleman from Alabama, once we set this chain of events in motion there is no way we can get on top of it. That is the concern that I have. I urge the Members to vote down this amendment.

Mr. MAHON. Mr. Chairman, I move to strike the last requisite number of words.

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

Mr. MAHON. Mr. Chairman, I never did think I would see the day in the House of Representatives when we would be debating whether or not to reveal certain heretofore important secret information to the Soviet Union and the Communist conspiracy.

I do not rise in defense of the CIA. The CIA has made mistakes and committed illegal actions. So has the FBI. So has every other agency in the Government. I rise in defense of none of them. I denounce all of them who have violated the laws of the land—HEW, and everybody else. I think we ought to do everything in our power to have a Government of integrity.

The Congress has not in the past rubber-stamped the Central Intelligence Agency. Those who have had oversight over the Central Intelligence Agency have made numerous reductions over the years, as we have in the current bill; to impress our will upon the Central Intelligence Agency and upon the Government in general.

The argument is made the Soviet Union knows the amount of the CIA budget. The Soviet Union no doubt has some information, of course, but are we to document and authenticate all of this information and give them more and more and more in addition to what they have already received? I say no.

Under our rules we do not now propose to keep secrets from our own Members. In the executive branch one is given top secret information only if he has a specific need to know. That is in the executive branch. In the House every Member is entitled to top secret information under certain circumstances if he feels that he needs to know.

When I go home to Texas I do not want somebody to meet me on the street and say, "Congressman, why did you vote to give away our secrets to the U.S.S.R. and

the Communist conspiracy? The information was available to you. We trust you. We thought you would protect our interests. We did not need to know the information."

I do not think many people outside of Congress have ever asked me how much money is in the defense bill for the Central Intelligence Agency. All Members now have the mechanism by which they can get this information.

So I rise in opposition to the amendment which has been proposed by my good friend, the gentleman from Connecticut. The subcommittee agonized over this issue, and it appeared to me that by about 10 to 2 they were opposed to making public the information. The vote in the full committee was 38 against making the information known and 14 in favor. So that gives the views of the Committee on Appropriations. The CIA budget should not be made public.

I also have a concern that this amendment is only the opening wedge. What we are really debating is the ultimate release of all secrets of our Government. In my opinion, history would prove this wrong. The inevitable result would be a serious breach of national security if we start down this road.

The Founding Fathers were not foolish. In George Washington's time the President asked for certain secret funds "to facilitate the use of informal agents."

They kept this secret information in George Washington's time in a separate journal in the Treasury and I do not think we ought to forsake a policy which has such good endorsement as the one we have before us.

Commonsense also dictates that we should not upstage the select committees of the House and the Senate that are studying intelligence. Why not let the information be made available to them and let them make their recommendations to us before we decide what actions we should take with respect to this matter?

In summary let me just put it this way.

First. It is unwise to begin the unveiling of the innermost secrets of the Government and become the only nation on Earth—it is incredible—to thus jeopardize its security.

Second. The precedents of 200 years, since the days of George Washington sanction the validity of the position those of us who are opposed to this amendment are taking today.

Third. We cannot justify upstaging the select committees of the House and Senate that are working now with respect to this matter.

The Rockefeller Commission said Congress should give consideration—as to whether or not we should reveal the information regarding the CIA. We are giving consideration to it. That is what we are doing. It is perfectly legitimate to give consideration to it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. Mahon was allowed to proceed for 3 additional minutes.)

Mr. MAHON. Mr. Chairman, I would trust and I earnestly believe that the Members will vote down this amendment.

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Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Mr. Chairman, I associate myself with the remarks of the gentleman from Texas. I just cannot believe this House will support this amendment. It strikes at the very vital security interests of the United States.

I have heard the arguments that the opposition knows the figure, and so forth. That is not the point at all. The point is here is an agency that is dedicated to gathering intelligence, a very difficult assignment, and it is trying to gather it in the best interests of the United States so we know what is going on around the world. For us to take a first step which will ultimately and inevitably lead to other steps which will involve revelation of certain things then as we move along, to me that would be most disastrous.

I would certainly hope the Members of this body would give very, very serious consideration as to the actions we are going to be asked to take today.

I have been with the chairman on this matter of the intelligence for some time. I think we have tried to do what was in the long term best interests of this country. Some information has been made available to us which certainly if it got out would be seriously damaging to the capability of the United States to know what is going on, as we do know now. I would hope very seriously that the House would not accept this amendment.

Mr. MAHON. The gentleman is correct. The persons on the Appropriations Committees of the House and the Senate have been looking at this budget and the details of this budget for years and trying to do a creditable job. Under the new procedures everyone will be advised of the dollar amounts and the hearings will be available to be seen. So I do think we have gone far enough. If we know ourselves what the situation is, why do we insist on telling the Soviet Union and Red China and everyone else? It is beyond me. If there were a great tidal wave of demand from the public, it would be different. But I do not think many of the people feel it would be wise for us to spill our innermost secrets of the Government to the whole wide world.

Mr. ADDABBO. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. ADDABBO. Mr. Chairman, is it not correct that in the State-Justice budget there is a line item on the FBI and they are also an intelligence-gathering bureau and there has been no damage to their ability because they are a line item in that budget?

Mr. MAHON. The budget of the FBI is published in the President's budget that is submitted to the Congress every year and that is available to the public. The action of the Congress on the President's request is included in the bill presented by the Justice, State, Commerce Subcommittee of the Committee on Appropriations. The budget provides for every activity of the FBI—criminal investigations, fingerprint identification, pursuit of Federal fugitives, civil rights

investigations, and every other function of the Bureau. There is no line item or any other indication in the budget that identifies the amount the Bureau spends of intelligence or counterintelligence activities.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I know about the FBI budget and I can say there is within that intelligence gathering responsibilities in the FBI budget that are not line items and are used for the specific purpose of gathering intelligence.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Ms. HOLTZMAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Ms. HOLTZMAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Ms. HOLTZMAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MAHON. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 40 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas?

The motion was agreed to.

The CHAIRMAN. The Chair will state that all Members standing at the time the motion was made will be recognized for 1 1/4 minutes each.

(By unanimous consent, Mr. JOHN L. BURTON yielded his time to Ms. HOLTZMAN.)

(By unanimous consent, Messrs. ADDABBO, LAFALCE, STOKES, and HARRINGTON yielded their time to Mr. GIAMMO.)

(By unanimous consent, Mr. CEDERBERG yielded his time to Mr. KEMP.)

(Mr. HARRINGTON asked and was given permission to revise and extend his remarks.)

(Mr. HARRINGTON addressed the committee. His remarks will appear hereafter in the Extensions of Remarks.)

(Mr. TALCOTT asked and was given permission to revise and extend his remarks.)

Mr. TALCOTT. Mr. Chairman, I believe we have made a serious mistake which degrades our intelligence gathering capability, and therefore jeopardizes

our national security. Perhaps the damage will not be apparent today, but the damage to our successors will be known too soon to the regret of our grandchildren.

The initial step of announcing the place in our budget where the CIA budget is contained is valuable to our enemies. This gives them valuable information. It gives them a "base line" from which they can deduce useful information. It enables them to watch and track trends, it enables them to discontinue their search for this useful information in other places, it enables them to confirm other information from clandestine sources, it opens the floodgates of opening all CIA activities to the scrutiny by our enemies.

We need intelligence to survive. We are dealing with closed hostile societies. Our enemies have almost completely open access to our defense forces. This is a tremendous disadvantage to us and an advantage to our enemies. We should not knowingly impose such disadvantages upon ourselves and give such advantages to our enemies.

Every Member of the House can obtain all of the information concerning the CIA very simply. This ought to satisfy every Member's curiosity about the CIA without allowing the information to become known to our enemies.

It does absolutely no good to claim that one wants to maintain a "strong intelligence facility" and do one thing after another to degrade it and to jeopardize our security.

No other nation discloses its intelligence and security activities, no other democracy, ever. Their wisdom should not be ignored.

What help or advantage does the American citizen derive from exposing the CIA budget to public and enemy scrutiny? I can see none. Any Member can obtain all the information available to satisfy any inquiry by any loyal constituent.

We can all very clearly understand the advantages to our enemies. Why do something that helps our enemies and does nothing to help ourselves?

I want as little secrecy as possible. But some secrecy is absolutely necessary in intelligence gathering. I believe it is wise to maintain this secrecy.

Our present rules satisfy me. They may not satisfy our enemies. If any constituent is curious about our intelligence operations and the costs, I will try to deal with him or her without disclosing information which will be helpful to our enemies.

I trust the Gialmo amendment will be defeated. If it passes, there will be no appropriation for the CIA. Mr. GIAMMO says that if his amendment prevails he will offer another amendment to disclose the total amount of the CIA budget. But, as the gentleman from Connecticut well knows, his next amendment might not pass. The procedure is faulty. The objective is therefore suspect.

Unintentionally, or not, this amendment is detrimental to our intelligence services and it will jeopardize our national security with no enhancement to representative democracy or our right to know.

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Sometimes we can provide our citizens with some information which is of no due to them but of great benefit to our enemies.

Intelligence information is one of those budgetary items which is greatly more valuable to our enemies, than to our citizens.

(By unanimous consent, Mr. DAN DANIEL yielded his time to Mr. STRATTON.)

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. Osey).

Mr. OSEY. Mr. Chairman, all I can say is try to emphasize the point I tried to emphasize before. We are revealing nothing which is not obtainable from other sources in roughly equivalent form right now. All we are doing is making this Congress look a little less silly in the process of considering how we manage the intelligence-gathering budget of the United States. Virtually every negative argument I have heard, save two, has been made against some future amendment which might occur in some future session of the Congress.

I would submit that they do not fit in this place on this amendment. I heard the chairman of the Appropriations Committee say that he never thought that he would see the day when the House would be debating revealing certain heretofore secret information to the Soviet Union and other Communist countries involved in the Communist conspiracy. He and I must be reading a different amendment, because nothing in this amendment does anything similar to that this afternoon, and anyone who has read it and listened to the debate, even to the objections of those who are opposed to the amendment, certainly would understand that.

Mr. DAN DANIEL. Mr. Chairman, I rise in opposition to this amendment.

Basic to the compact that exists between the people of the United States and the government, is the people's right to know. Ours has by and large been an open government, putting its trust in the collective good judgment of the electorate.

Also basic, and it is stated in the Preamble to our Constitution, expanded upon in Article I, is provision for the common defense. I believe if we defeat this amendment, we will still meet both of these basics.

This amendment is downright dangerous and it is not quite so simple in its application as it may appear at first blush. It would be meaningless in the context of budget oversight to publish a total figure for CIA operations and it can virtually be guaranteed that another year will see a demand for greater detail.

For with only a flat dollar figure assigned to CIA activities, there would be no way the Congress as a group could intelligently exercise any more oversight than is currently the case. It could only assist our adversaries.

It is dangerous for several reasons. I assume there is no disagreement in this Chamber that there are other nations on earth which are engaged in intelligence-gathering operations directed at us. The published knowledge of

an increase in funds for our intelligence-gathering would immediately alert other nations, bent on mischief, that they should increase their own efforts. Certainly, this would be my own reaction, were I in their shoes. On the other hand and again if I were in a decisionmaking position for a potential adversary this would be my reaction—an announcement of a reduction in appropriations for this purpose would be immediately interpreted as a reduction in effort to maintain a body of knowledge sufficient to make rational defense decisions.

We have only to look at the period immediately preceding World War II to know that more adequate intelligence-gathering could have alerted the Allies, providing time for preparation.

I cannot say that war would have been avoided, but it might have been shortened, and loss of lives and human suffering minimized. I would hope we have learned something since our then-Secretary of State declared that "gentlemen do not read other people's mail."

A defense capability without the knowledge of when and where and under what circumstances it may be needed would be as useless as a safety pin at a nudist camp. And there is one other point to be made in this regard.

The charge has been leveled that "only a handful" of Members know the amounts appropriated for CIA activities. Thirty-one Members of the House and the Senate are provided this information.

This is considerably more than a handful, and I would not for one moment question the integrity or the honesty of any of these 31.

Nor is that all. Other Members can also obtain sufficient information to evaluate the intelligence function and meet their oversight responsibilities.

The gathering of information on foreign governments and the provision of funds for this purpose is as old as our Nation. The matter was debated in Constitutional Conventions, and secret funds were employed by Presidents Washington and Madison.

It is therefore not an issue recently risen. I submit, Mr. Chairman, that we are talking about secrecy, when we should be talking about discretion. In our intercourse with other nations—friend and potential foe alike—it is necessary that certain elements not be made too public.

The other body confirms the Director of the CIA, and only after considerable investigation as to his background and qualifications, and as to his character. Thirty-one of our number know the specifics of this appropriation.

Prior excesses have been pretty thoroughly explored, so that those exercising oversight are now alerted to any potential abuse. Let us vote down this dangerous amendment.

(By unanimous consent Mr. WAMPLER yielded his time to Mr. STRATTON.)

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Chairman, and members of the committee, this is not an easy vote for any of us to take. I very reluctantly am going to vote against this amendment, but I want to say to those

who have the authority to do something about this problem and do not exercise it in the future, that this is probably the last time I am going to vote against such an amendment.

This country has not approved of the way the Congress has permitted abuses by our intelligence agencies. Those who have had authority to oversee these agencies have been remiss in their duty in exercising oversight, in exercising scrutiny and authority over these activities. The monstrosities which have been committed could not have occurred if Congress had been on the alert.

If the whole House is not going to have the prerogative of examining the conduct and the items of expenditure of these intelligence agencies, then the committees having jurisdiction over these agencies are going to have to do so in a way that will satisfy the country that the public interest is being protected. I realize that if we adopt this amendment we could not, on the floor, do more than deal with the whole figure. We could not go into the items that make up the bill, but as I understand it, the Defense Subcommittee of the Appropriations Committee does do that, and other members of the Appropriations Committee have access to the details.

I believe, therefore, the delicate matters involved in the operations of the CIA—the amount of money to be appropriated and the character and extent of the activities of the Agency—can better be handled—the national interest as well as the rights of our citizens can better be protected—by the appropriate committees of the Congress. I hope they have been shocked into a new concern about their responsibilities by recent disclosures of CIA activities which are repugnant to the American way of life. But let the committees understand that if they do not do the job the House and Senate will have to undertake it even at the risk of what may be serious injury to the national interest.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Ms. HOLTZMAN).

(Ms. HOLTZMAN asked and was given permission to revise and extend her remarks.)

Ms. HOLTZMAN. Mr. Chairman, I rise in strong support of this amendment which will require disclosure of the amount of the CIA budget, because it raises issues not only about fiscal responsibility of the Congress, not only about the balance of power between Congress and the President, but also about what the Constitution requires of us.

I recently read a thoughtful article which I placed in the Congressional Record last July, that was published by a committee of the Bar Association of the City of New York. This bar association committee examined the Constitution of the United States and concluded that the way in which we were appropriating money for the Central Intelligence Agency violated the Constitutional requirements. I want to read the relevant section of the Constitution.

Article I, section 9 of the Constitution says that "No money shall be drawn from the Treasury but in consequence of

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appropriations made by law." I submit to each Member that if we do not know what is in the CIA budget and do not even know its total, then we are not appropriating money knowingly? We are not fulfilling the constitutional mandate.

Second, the Constitution requires that "a regular statement and account of the receipts and expenditures of all public moneys shall be published from time to time." Here again, we do not meet the requirements of the Constitution.

There has been some concern raised in debate about the disaster that will come to this country from abiding by the constitutional requirement that at least we put in the bill the lump sum of the CIA appropriation. I would just like to point out that the Atomic Energy Commission has had its lump sum appropriation published, and it has been a matter of public record for a long time. That publication has not led to the disclosure of national secrets and it has not endangered security of this country. I think that is an important example.

Mr. Chairman, I would suggest to the Members that there has been no real proof—just bland unsupported assertion—that publication of the total amount given the CIA would in any way endanger this country. We ought to adopt the amendment offered by the gentleman from Connecticut (Mr. GIAMMO).

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ANDERSON).

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, I think we have an illustration in the debate this afternoon of the fact that the most difficult decisions that confront us and that we have to make are those when two very important and necessary principles seem to be in conflict with each other.

Mr. Chairman, here, I think, we have the principle of the matter of the accountability of government agencies, a very important principle.

We also have the principle, I think, in some measure, of the necessity for secrecy in the carrying out of the intelligence function.

I want to congratulate the Committee on Appropriations. I think they have made some progress in confining examination of the CIA budget to the entire subcommittee, and in permitting access to such material to every Member of this body. I shall avail myself of that access this afternoon.

I think we will further have the right, on the 31st of January, when we examine the recommendations of our own select committee, to then decide this very, very important basic policy question. Therefore, I am going to reserve my judgment today and, in fact, vote against the amendment reserving, however, the right—and I think the very great responsibility—to reexamine this question when we have a report from our select committee.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. NEDZI).

(By unanimous consent, Mr. STRATTON yielded his time to Mr. NEDZI.)

Mr. NEDZI. Mr. Chairman, it is really with mixed emotions that I rise to comment on this amendment and, on balance, to oppose it, because some time ago I expressed myself both publicly and privately in favor of making public the total budget of the CIA. I did so in the belief that our foremost adversary had a pretty clear idea as to what that figure was and there would be little or no damage done, as long as the component parts of the total were not revealed.

On the other hand, the arguments against the revealing of the total budget were not entirely without merit, and there did not seem to be any overriding public interest in making this figure known.

But I am going to vote against this amendment, because I believe, as has been mentioned by some of our colleagues, that this question of making the total budget public is a matter which should be considered in a calm and reasoned atmosphere in both the House and the Senate Select Committees on Intelligence and should be included in the final package of recommendations.

Mr. Chairman, I know that when I voted for our select committee, I assumed that this was going to be one of the matters that they were going to consider very, very seriously. This matter of making the CIA budget public is not a new question. It has been around for a number of years and is one of those gnawing things about which there has been all kinds of debate; and that debate, it seems to me, should take place in the select committees where they have the advantage of calling upon witnesses from both sides and then presenting their recommendations to the House, which we then should consider. Neither committee, obviously, has reached this point. We have endowed these committees with ample budget and staff, and for the first time in history we have mandated a complete investigation of the intelligence agency. The charters of these committees are as broad as legislative language could make them and, accordingly, it seems to me ill-advised, if not ludicrous, for us to be considering this problem in such a haphazard manner.

Mr. Chairman, we seem to be operating for the moment in an atmosphere of confrontation and, accordingly, I think we should reserve judgment until the atmosphere is calmer and the committees have reported.

Moreover, with the Central Intelligence Agency seemingly under attack from several directions, it might be well if we do not open up yet another front for the Agency at this time. It has an ongoing responsibility to do its work, and it must be responsive to the Congress, but there is something to be said for not opening up yet another area of controversy, especially when we do not have the benefit of the recommendations of these two select committees.

Mr. Chairman, these budget figures have remained secret throughout our history, and as the gentleman from Texas

has pointed out, George Washington had some budget secrets which he kept from the Congress and from the public. It just appears to me that there is no urgency in taking this step at this time, and I, therefore, urge that we reserve judgment and reserve decision and vote down this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LEGGETT).

(Mr. LEGGETT asked and was given permission to revise and extend his remarks.)

Mr. LEGGETT. Mr. Chairman, I rise in support of the amendment.

I think it is time that the sunshine were allowed to come in a little bit. This is not a question of secrecy or no secrecy.

We have a book here the committee report of about 4,000 secrets of the Department of Defense in which they talk about the money for the SAM-D. But yet do we know how the SAM-D works? The answer is: No.

We have the details of the money for Thailand, and it is spelled out. But do we know what the money is actually used for? No.

We can go through the FBI budget. Does that tell us what they are doing? The answer is: No.

I have sat on the Defense Committee for 12 or 13 years, and I have heard the CIA come in and talk to us, and I have heard the other intelligence agencies come in and give us information. They come in and brief us in secret sessions. But I will tell the Members that the bulk of what they tell us is just about what we read in the newspapers. It just so happens that the information presented to committees in secret session is very much like what we read in the newspapers.

Mr. Chairman, the gentleman from Connecticut (Mr. GIAMMO) has a point. He is trying to reveal something he wants to get at the details in these assassinations and the violations of Presidential orders about keeping poisons.

Mr. Chairman, we must get at these things, and this is a start in that direction.

Mr. Chairman, I wish to register my support for the effort being made by Congressmen GIAMMO, ADDABAO, and OBBY to take one step toward greater congressional scrutiny and oversight of intelligence activities. Their amendment would bar the use of the funds provided by the appropriations bill before us for the CIA. Their purpose is obviously not to prevent appropriations of funds for the Agency. It is clearly to ask the Members of the House to face squarely the question of whether they want the overall budgetary total for the CIA made public. As I understand it, if that effort proves successful, a second amendment will be offered specifying the actual amount of appropriations to be included in the bill for CIA operations.

Mr. Chairman, I believe we should answer that question in the affirmative. We must start the process of establishing meaningful legislative control over our intelligence agencies and making them really accountable to the Congress for

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their programs and resources. Focusing on the funding total for the Agency is only a modest step toward that end. Yet we can we "oversee" in any fashion if we have no knowledge of the Agency's command on our resources? How can we set budgetary priorities in a meaningful fashion if we have no basis for comparing intelligence with unemployment, health or other competing program areas?

I want to say that I do not believe this small step, if taken, should subsequently be extended to revealing the details of the Agency's funding and activities. It is apparent that many of the Agency's activities, if undertaken at all, must be done in secrecy. What we must have, however, is strong congressional scrutiny and control of intelligence activities and programs before, rather than after they are initiated.

The virtual total autonomy of intelligence agencies, particularly the CIA, must be brought to an end. If that can be done by committees operating in secrecy, then so be it. But the Agency must be accountable to the people and their representatives in a truly effective form. The previous approach of having an "inner circle" operating in total secrecy has obviously not prevented an autonomous agency from abusing the public trust. The proper role of our intelligence agencies must be reexamined, and a new method of congressional oversight established. We have constituted a select committee in the House to do just that. I believe that the modest step being proposed today toward greater CIA accountability for the funds it commands should be consistent with that process.

Let me emphasize, finally, that proponents of this amendment are not attempting to bring an end to vital intelligence activities or to undermine the CIA. We know that for better or worse the United States will need some sort of central agency, if for no other purpose than to coordinate the intelligence activities and evaluations of the many existing civilian and military intelligence organizations. Opponents of the amendment who insist that we seek to destroy the Agency are in error.

What we want is an agency under effective control, both executive and legislative, and with more precisely defined authority. This is supposed to be a government of laws, and such a government has no place for an agency completely without the legislative purview. Even if a wholly secret and autonomous CIA could have been justified during the height of the cold war, which I doubt, that day is clearly over.

Mr. Chairman, we cannot go on with the old ways of the pre-Watergate era. We must find means to prevent abuses like domestic spying here or the Chilean atrocity abroad. And we must insure that extravagant programs like the Glomer Explorer are made to compete effectively against other claimants on the public purse.

Mr. Chairman, I urge my colleagues to support the proposed amendment as a small but useful step in the direction of better congressional oversight of intelligence.

(By unanimous consent, Mr. MILLER of Ohio yielded his time to Mr. DEVINE.)

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. DEVINE).

(Mr. DEVINE asked and was given permission to revise and extend his remarks.)

Mr. DEVINE. Mr. Chairman, I wish to speak today not as a member of the Committee on Appropriations but as one who a number of years ago did have some experience in this area, having been an FBI agent for a period of 5 years.

Intelligence work is a complicated work, it is a sophisticated work, and I think we should understand exactly what we are doing here.

I am aware of the fact that there are Members of this body who were once connected with the Central Intelligence Agency. We have a number of former FBI agents, and we have Members here who were in Naval Intelligence and in the Counterintelligence Corps; we have Members who were in G-2 during World War II, during the Korean conflict, and perhaps during the Vietnam war. They understand the necessity of confidentiality and of secrecy in intelligence for the security of this Nation.

I would say there are a number of Members in this House whose vote on this matter could be predicted, who could not track an elephant after a snowstorm through a flowerbed. They do not know the value of surveillance work, they do not know the importance of confidentiality, and they do not know the value of sources of information to an intelligence agency.

There has been a movement around this country during the last few years to destroy our intelligence agencies. There have been scurrilous attacks on the FBI by persons who did not have the courage to attack J. Edgar Hoover during his lifetime. They would like now to derogate that agency, and they would like the opportunity to open up all the files of the CIA in an effort to destroy that Agency.

The words that worry me more than anything else and, I think, the words that the gentleman from Connecticut (Mr. GIAMMO) probably wishes he could swallow are the words, "benchmark" and "first step." That is what concerns all of us here, not just the idea that the line item amount of the CIA is in question before the House. We are worrying about what step 2, step 3, and step 4 are going to require. Will every special agent of the FBI and every special agent of an intelligence agency in the Nation be required to reveal his name, rank, serial number, date of birth, what his assignments are, and what cases he is working on?

Mr. Chairman, these are the things that concern the American people, and I therefore, urgently ask the Members of this House to vote down the Gianno amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. MYERS).

(Mr. MYERS of Indiana asked and was given permission to revise and extend his remarks.)

Mr. MYERS of Indiana. Mr. Chairman, I am certain that each of us here this

afternoon is concerned and is frustrated over some of the activities that reportedly the CIA has been accused of conducting.

However, Mr. Chairman, is this amendment offered by our colleague from Connecticut the proper remedy?

I am sure that the author of this amendment—in fact, I know—is concerned about and believes in having a strong Central Intelligence Agency. We are all concerned about having an agency that will be able to interpret and will be able to make some prediction about the future activities of other countries.

Some Members are saying, what harm could happen if we just merely report how many dollars are going into this agency? That all they wish to do is require that the money for our intelligence efforts be in a specific line item of the appropriation bill. That, in itself, probably is not all that vital to our country's security. It is probably true that the enemy knows as much about this as many in this country and maybe more than some of the Members here. Generally, I believe that the taxpayer has the right to know and should know how this tax dollar is spent. Yet, the overwhelming majority of the people I have talked to in each case are more concerned that we keep a strong intelligence than they are interested in how much money is spent for it.

I feel we need some supervision over the activities of the CIA. I am confident the select committees will arrive at that decision. It seems to me a joint committee along with representatives of the executive would be the proper way to supervise those activities.

If we are required as this amendment requires to provide the needed funds by a line item, we are going to get provisos. There are more than 35 provisions in this bill, H.R. 9861, restricting and directing how the funds may be spent.

If we put a line item in here, we are going to be conducting and directing the CIA's intelligence-collection efforts from the floor of this House. I am sure this would defeat our very important intelligence efforts.

Mr. Chairman, do we want a Central Intelligence Agency or not? If we do, we should vote no on this amendment. A yes vote will destroy the country's ability to collect vital information for our security and peace.

(By unanimous consent, Mr. JOHNSON of Colorado yielded his time to Mr. RHODES.)

The CHAIRMAN. The Chair recognizes the gentleman from Arizona (Mr. RHODES).

(Mr. RHODES asked and was given permission to revise and extend his remarks.)

Mr. RHODES. Mr. Chairman, it seems to me that today we are going to learn one very important thing—that the rest of the world just does not operate under the same rules that we do.

I might be more inclined toward revealing the budget of the CIA if the Russians would reveal the budget of the KGB, but they do not and are not going to.

I also have the feeling, although I do not know that this is true, that the KGB and other related Communist intelli-

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gence operations have a lot more money than our CIA does. For that reason, I am concerned about the Russians getting this knowledge because then, they would know whether we are falling behind in what I think is a very important area. In spite of détente, unfortunately world confrontation still exists with the better part of the world.

Mr. Chairman, it just seems to me that we are putting the cart before the horse. I do not condone activities of the CIA or the FBI, which have violated the rights of American citizens unduly in the past. However, I submit, Mr. Chairman, that this is completely irrelevant insofar as getting to those abuses is concerned. The amount of money involved is beside the point.

I think that the investigation of such alleged abuses is the responsibility of the Select Committee on the CIA. I hope that the select committee is cranking up to do its job now instead of jockeying with the President of the United States. When it does crank up, and when it does do that job, I am satisfied that it will come up with a report as to what has happened in the intelligence-gathering agencies, and with some recommendations which can help us do a better job of oversight than we have in the past. However, this present amendment is not the way to do it.

Some say that this amendment would not be revealing secrets. When they say that, I think they miss the fact that there are some very intelligent people around this world who have been in the intelligence business for a long, long time, and we give them something to take hold of, if we give them a total sum of money, then all they have to do is similar to what one does with a jigsaw puzzle. They put things together and they know that the CIA is engaging in certain activities. They also know that there are certain risks involved. There is a certain amount of money that they cannot account for. It would not be too difficult, however, for them to find out or to take some pretty good guesses as to how to come up with the information they want.

Mr. Chairman, I urge my colleagues to reject the amendment.

Mr. ADDABBO. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole House is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

The Chair recognizes the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT asked and was given permission to revise and extend his remarks.

Mr. ROUSSELOT. Mr. Chairman, I should like to direct a question to the maker of this amendment, the gentleman from Connecticut (Mr. GLAIMO). Is it the gentleman's intention only to have the figure for the CIA so revealed as a line item, or is it the gentleman's intention additionally to reduce that amount? Is the gentleman satisfied as a member of the committee with the figure that now exists?

Mr. GLAIMO. Will the gentleman yield? Yes, I am satisfied with the present figure. We do not intend to reduce the budget appropriation for the CIA.

Mr. ROUSSELOT. All right. So the gentleman is satisfied evidently with the present figure, whatever it may be. Therefore, I do not understand the necessity for this amendment. The gentleman is on both the subcommittee and the full committee on appropriations. The gentleman participates in the debate and the hearings of how the funding shall be allocated for the CIA. I do not understand why we need to have this as a specific line item so that other people who do not have as much knowledge on the issue can then come to the floor and change it by endless amendments.

The Chairman. The time of the gentleman has expired.

(By unanimous consent, Mr. BAUMAN yielded his time to Mr. ROUSSELOT.)

Mr. ROUSSELOT. Further I still cannot understand why just making this a specific line item will improve the quality of intelligence-gathering. My belief was that the purpose of our House Select Committee on Intelligence was to carry out that very job, and to try to come here with definitive suggestions on how we could improve U.S. intelligence-gathering. So I do not believe that the amendment of my colleague, the gentleman from Connecticut, nor evidence presented in debate, have shown us why we need, by just having a specific line item, to better understand the quality of the present CIA intelligence and how that single figure is going to improve the quality of intelligence-gathering in the future. That is really the major issue.

So I am sorry that my colleague has not been willing to wait for the Select Committee on Intelligence to complete its job, because as I understand, the prime purpose of that effort is to come to the Congress with ways and means to improve the intelligence-gathering systems including the CIA.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Virginia (Mr. ROBINSON).

(Mr. ROBINSON asked and was given permission to revise and extend his remarks.)

Mr. ROBINSON. Mr. Chairman, in qualifying his remarks in support of the amendment one Member said that we should reveal intelligence information, budget included, to the extent and to the maximum consistent with our essential security requirements. Can anyone who has been here listening to this debate

doubt that our essential security requirements would be harmed if this information is revealed?

Another said that it is not an easy vote. For this Member it is an easy vote and it has gotten easier and easier as we have discussed the ramifications of what this amendment would do, because one significant argument has not been refuted. That is the argument that this is the first step in the direction of totally revealing the budget of the intelligence community.

"Sunshine should be allowed in," it was said. If the full light of day of public disclosure is allowed to fall on the CIA, it will destroy that agency. Do we want that?

We must defeat this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. GLAIMO).

(Mr. GLAIMO asked and was given permission to revise and extend his remarks.)

Mr. GLAIMO. Mr. Chairman, several minutes ago the minority leader spoke in opposition to this amendment. He made two telling points. He said the rest of the world does not operate like the United States, and he said he would be in favor of releasing the CIA budget, meaning I suppose by releasing it that we would include it as an item in the budget, if the KGB—which is the Soviet counterpart of the CIA and which engages in some other activities that our CIA does not do—would do likewise.

I think that is what is at the nub of this argument today. We have heard an infinitum of the dangers that would be involved to the national security of the United States in adopting this amendment, but from the opponents of this amendment we hear not one word of concern for the American citizen because of the activities of the secret agencies of the Government—the powerful secret agencies of the Government.

From what has transpired these last several years, from the revelations of wrongdoings and illegal activities by these agencies, I submit to the Members that it is a very real and proper interest of ours to be concerned about what they are doing. Indeed, we should do more than we have done in this Congress to exercise some oversight in order to make sure that we at least begin to know what those agencies are doing. If some of our committees in the past had exercised that kind of oversight, we would not be in such a sorry plight as we are now.

But ours is an open society. It is not like that of the Soviet Union. I will tell the Members a story. My father came to the United States in 1908 from Italy as a young lawyer. He fell in love with this Nation as only an immigrant can. Do the Members know the one thing that was the most astonishing to my father in the United States from the time he came until the day he died? He said: "My God, in the United States the cops are friends of the people." Do Members know what that means in an open society to have the law enforcement agencies as friends rather than as arms of an all-powerful government?

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I submit we run the danger, as has come forth in the last 2 years, that some of our law enforcement agencies, some of our secret agencies may now in their concern for the national security no longer be friends of the American people.

That bothers me, because as the gentleman from New York (Mr. STANLEY) said:

I can take care of my enemies. It's my friends I am concerned about.

I agree with the gentleman. That is a very true statement today.

I just came back from the Pacific and saw the might of the American power. I have seen it in Europe. I am not concerned about the ability of this Nation to take care of itself vis-a-vis the Soviet Union. I am concerned about the ability of this Nation to take care of itself and protect itself against a secret all-powerful government which can turn evil. We saw this in the last 2 years. We have to begin to take steps to protect ourselves from it. Here we are in Congress voting on this amendment and some Members are saying that they do not want to know what the CIA does. We have heard that they have committed acts of impropriety, but yet some Members do not want to know; whereas, our people expect us to know. Our people are only confident when we are exercising oversight over these agencies, but we are not doing this at the present time. We are only now beginning to. We only now are beginning to see the committee move and allow greater information to come forth as to what the CIA is doing. We have got to do more.

This publication of the budget does not jeopardize national security. It serves as a warning to the executive agencies, particularly the intelligence agencies, that Congress at long last is going to assume its oversight functions, something which it has not done.

One other point. Remember, the CIA has only been in existence since the late 1940's and early 1950's. The idea that they must continue the way they are going only arose in the cold war days of the early 1950's.

Let us bring them back into line so that they are responsive to Congress, so that we know, within reason, what they are doing and we know where they are spending their money and how. Within reason—I emphasize these words to my friend from California who asked me before about this. We do not intend to publish all the activities. We want to get a reasonable approach, so that we can have an oversight control.

Mr. Chairman, I urge the adoption of the amendment. I will repeat; the United States is not to be compared with the Soviet Union or what the Soviet Union does.

Mr. RONCALIO. Mr. Chairman, will the gentleman yield?

Mr. GIAMIO. I yield to the gentleman from Wyoming.

Mr. RONCALIO. Mr. Chairman, I could not feel more deeply an affinity for the statement of the gentleman. I associate myself with the gentleman's position.

As an elected Representative of the people, I have a duty and I believe in and

support the security of this country. I also believe in support for my constituents. I believe that the constituents should know what is going on.

Now, if I vote for the B-1 bomber and the vote turns out to be something other than the B-1 bomber, that some of these funds that are appropriated for the B-1 bomber go to the CIA, that is clearly wrong.

Let us vote for the amendment and keep America free.

Mr. GIAMIO. Mr. Chairman, I thank the gentleman for his support.

One final point. From what we have seen and read this past year, should we not question the activities of people in the Central Intelligence Agency? Do we really think they are entitled to a carte blanche vote of confidence from us? I do not think so.

Mr. STOKES. Mr. Chairman, I rise in support of the amendment by the gentleman from Connecticut (Mr. GIAMIO). Mr. Chairman, I think that the lessons of history dictate the necessity of this amendment. Our most current lesson of history is Watergate. If Watergate taught us anything Mr. Chairman, it is that nothing is more threatening or dangerous to a democracy than unbridled, unchecked, arrogant power. Watergate occurred, Mr. Chairman, because the American people did not know and had no mechanism to find out what was being done to them by the President of the United States in the Oval Room of the White House. Now we are confronted each day with some new and sordid revelation of what the CIA has been doing to the American people. These are ugly revelations relating to crimes, assassinations, and other revolting things being done to the American people with their tax money in the name of "intelligence."

These sordid revelations have now resulted in committees in both bodies of Congress being appointed to investigate the CIA's activities. One Member of this body in debate today said that we are making the CIA appear more disreputable. Mr. Chairman, if the CIA had conducted themselves in a reputable manner, they would not today be under investigation by both bodies of Congress. It seems to me that requiring a line item of their budget is a small step by this body in making the CIA accountable to the American people for whom they are providing security and intelligence.

One of the arguments which I have heard over and over again during this debate is that the American people do not want to know. At the same time I have heard over and over again that the Russians do know. This it seems to me is an insult to the American people to say that they do not want to know what the Russians already know about them. Watergate happened, Mr. Chairman, because of arrogant men who were privileged to operate in the dark with the license to make decisions for people whom they feel do not know what is best for them. I am not going to try, Mr. Chairman, to tell the people who elected me to office that I know what is best for you do not need to know. Neither am I going to buy the argument that any handful of men in this body have the

God-given power to know what is best for over 200 million people.

Mr. Chairman, a few months ago I saw a similar handful of men on the Judiciary Committee of this House defending to death the actions of a President who subsequently resigned in disgrace. Prior to his resignation they made one authoritative statement after another about the American people. I knew then that they had never talked to the American people. I submit that if those who are here today telling us what the American people do not want were to check with the American people, they would find out that he who pays the piper would still like to call the tune. I urge passage of the Giamio amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KEMP).

(Mr. KEMP asked and was given permission to revise and extend his remarks.)

Mr. KEMP. Mr. Chairman, I addressed the House yesterday on a number of important factors relating both to the role of intelligence agencies and to the amendment to disclose the total amount of CIA and related intelligence funding offered by the gentleman from Connecticut (Mr. Giamio).

Mr. Chairman, the author of this amendment has been standing in the well of the House suggesting that no steps have been taken at this point to bring accountability or responsibility to the oversight functions by the Congress of the CIA. That is just not true. We have taken very strong steps. I would suggest that the investigative committees of the Senate and the House are doing so; the Committees on Appropriations of both the House and the Senate, as well as the Armed Services Committees of both Houses of Congress. So these important steps are being taken despite the allegations of this amendment.

In reviewing the Record this morning, however, I came to the conclusion that additional points need to be made before we take a vote on the proposed amendment, and I wish to do that at this time.

There are essentially two points which need to be stressed—the role of intelligence agencies in free societies, such as ours, and the basis at law for why no disclosure of total funding need be publicly made.

Assertions have been made in recent months that the CIA is an invisible government, a law unto itself, engaged in provocative covert activities repugnant to a democratic society and subject to no controls. I assume this is an outgrowth of an inherent American distaste for the peacetime gathering of intelligence, for the CIA mission, examined in a vacuum, does appear to be in conflict with some of the traditions and ideals of a free society.

As I indicated yesterday, no one likes secrets and secrecy. It hints of "something to hide," and in a free and open society, such as ours, we do not like to have activities carried out in secret. But the goal of operating in the open is necessarily balanced here with other goals to which we are as equally committed—detecting potential flareups between na-

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tions before they occur, so as to protect the fragile peace that exists in many areas; detecting violations of international agreements to which the United States is a party and on which we are relying for our national defense; protecting classified material from those who do not have our country's best interest at heart. This does not mean we are less committed to openness, but it does mean that we have looked at the realities of what certain openness might bring about and have, therefore, opted for balancing openness with other goals.

If we disclose how much we know, the opposition is handed on a platter highly damaging indications of how and where we obtained the information, in what way his security is vulnerable, and who may have helped us. You can often tell from what we know, what its source was. Our opposition can then seal off the breach, roll up the agents, and shut off the flow of information which we need.

What the CIA and related agencies does, however, is not secret to those who must know in order to act in the Nation's best interest—charged with that responsibility by Constitution and statute. The President of the United States and the National Security Council know what the agencies are doing. The Congress—through the four specific subcommittees charged by the Congress with the responsibility for oversight of intelligence functions—knows what the agencies are doing. The Subcommittees on Defense of the House and Senate Committees on Appropriations and the Subcommittees on Intelligence of the House and Senate Committees on Armed Services know what the agencies are doing. In a tradition begun during the Continental Congress, these committees are charged with the responsibility of acting in behalf of the whole House and the whole Senate, because to have the whole bodies working with this information simply runs a very high risk of inadvertent disclosure of information which could render our activities much less effective.

There are other oversight safeguards as to the agency's activities also. The agency operates under the constant supervision—and direction—of the National Security Council. No significant foreign program of any kind is undertaken without the prior approval of an NSC subcommittee which includes representatives of the President, the Secretary of State, and the Secretary of Defense.

In addition, the agency reports in detail on the whole range of foreign intelligence activities to the President's Foreign Intelligence Advisory Board, a group of men who have distinguished themselves in government, industry, education, and the professions. The agency budget is gone over line by line by the Office of Management and Budget, just like every other agency's budget is reviewed. Then, we have congressional oversight layered on top of this.

The National Security Act of 1947 forbids the CIA to have any police, subpoena or law enforcement powers, and this is strictly enforced and closely monitored.

by the oversight committees and the administration.

The agencies provide intelligence data to our Nation's policymakers. Their evaluations reflect the considered and agreed judgment of all of the intelligence components of our Federal Government. The production and dissemination of this national intelligence is the responsibility and the primary function of the CIA. They have no stake in policy debates, and they cannot and must not take sides. They make estimates based on their judgments, but they do not assume advocacy positions, and the reasons are obvious. If they assumed advocacy positions, the policymakers to whom they provided the information would believe the raw facts, the sheer evidence was weighed to support the conclusion advocated by the agency or agencies.

Only when our policymakers—in the Congress and in the administration—know as many of the real facts as humanly possible, can we then reduce the risks of misjudgment, of error in our evaluations. Removing items from the realm of conjecture and putting them into the known facts category is the central role of intelligence, and it is vital to protecting a free society in a world where nations are dedicated to a destruction of our way of life. These facts are the foundations for making the right decisions—not just in times of war but rather in the continuing process of how to preserve the peace and avoid war.

Our policymakers must not be taken by surprise, and this requires a continuous flow of accurate information to the policymakers. Informed judgment helps us maneuver more effectively in foreign policy, and an awareness on the other side that we do in fact have complete and accurate information helps keep them honest and reduces their maneuvering. There is simply no substitute for having thorough intelligence gathering, and President after President—the instrument of Government charged by the Constitution with the responsibility for carrying our foreign policy—has recognized this.

President Truman called the CIA a "necessity—from one who knows."

President Eisenhower, who had seen the role of intelligence as a commanding general as well as President, stated it very well:

In war nothing is more important to a commander than the facts concerning the strength, dispositions, and intentions of his opponent, and the proper interpretation of those facts. In peacetime the necessary facts are of a different nature. They deal with conditions, resources, requirements, and attitudes prevailing in the world. They and their correct interpretation are essential to the development of policy to further our long term national security and best interests.

No task could be more important.

Upon the quality of your work depends in large measure the success of our effort to further the Nation's position in the international scene.

In the work of intelligence, heroes are undecorated and unsung, often even among their own fraternity. Their inspiration is rooted in patriotism—their reward can be little except the conviction that they are performing a unique and indispensable service

for their country, and the knowledge that America needs and appreciates their efforts. I assure you this is indeed true.

President Kennedy summed it up this way in speaking to the personnel of the CIA:

Your successes are unheralded—your failures are trumpeted. . . . But I am sure you realize how important is your work, how essential it is—and how, in the long sweep of history, how significant your efforts will be judged.

President Johnson was very strong in his support of the agency:

Long ago in the infancy of this Nation Americans were told that their liberty and the price of it was eternal vigilance. In this 20th century that truth is stronger than ever.

We live in a dangerous world, a world which cannot be predicted, a world which moves and is shaped by great forces, forces which we faithfully believe can serve for good as well as for evil.

The purpose of this [Central Intelligence Agency] effort, like the purpose of all that we do, is to strive for an orderly, just, and peaceful world. In this effort more than in many others a high order of selflessness, of dedication, of devotion, is asked of man and women. The compensation of them comes not in fame, certainly not in rewards of salary, but in the reward of the sure knowledge that they have made a contribution to freedom's cause.

As to the legal basis for the special funding authorities in furtherance of the CIA mission and functions, I think the first thing which must be said is that the secrecy in funding is a concomitant of secrecy in operations—they go hand in hand. Without secrecy in funding, there is no chance that the secrecy of the programs themselves can be maintained. Knowing the direction and the volume of money flow within the intelligence community can be every bit as revealing as knowing the commitment of manpower or hardware to a particular program, for program funding—both in its overall sizing and apportionment—is a rather direct and accurate measure of allocation of resources at any given point in time. The ability to make allocations of resources without revealing either the magnitude of the ends or the allocation to adversaries is in itself a national resource that the executive and the legislative branches have carefully preserved and jointly controlled throughout the agency's history.

The Constitution requires that—

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law, and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

The way in which the Congress has proceeded on this with respect to the CIA budget clearly meets this test. The appropriations bill which we will pass today will become a law in full compliance with requirements contained in this bill are the funds for the CIA and related functions, and any Member can at this very moment obtain on a classified basis exactly what those amounts are and where they are in the bill before us. Furthermore, these appropriations are reflected in the Treasury's

statement and account or receipts and expenditures in compliance with article I, section 9, clause 7 of the Constitution.

As to the statutory framework, section 32(d) (3) of the National Security Act of 1947, as amended and as codified as 50 U.S.C. 403(d) (3), provides that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure. And, it should be stressed that the overall budget amount is highly classified information necessitating such protection.

Nowhere in the Rules of the House is there provided any procedure either for the handling or for the release of classified information, although rule XI, section 712(k) (7), does forbid the release of any evidence or testimony taken in executive session without the consent of the committee—of which there has been none here.

Moreover, Congress has on occasion—many occasions—provided by statute for the safeguard of classified material and severe penalties against the disclosure of classified material to unauthorized parties. One statute, for example, forbids the publication or use of certain classified material "in any manner prejudicial to the safety or interest of the United States." In addition, in that statute the term "classified information" is defined to mean information which is "for reasons of national security, specifically designated by a U.S. Government agency for limited or restricted dissemination or distribution."

Nowhere has Congress ever acted to withdraw these mandates—which certainly raises substantial question about the propriety and legality of the disclosure of the overall funding amount should that be incorporated in an amendment today.

The proposed amendment should be rejected. I believe it will be rejected, and probably by a substantial vote of almost 2 to 1 against it. That will show the lack of support for this disclosure. It will show the strong support for continued classification of this budget item by the Congress and the people we represent.

Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. MAHON), the distinguished chairman of the Appropriations Committee.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. YOUNG).

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Chairman, in his argument earlier today in support of this amendment the gentleman from California (Mr. Moss) said very persuasively that the United States has grown great and has maintained its strength as an open society. What he failed to say, Mr. Chairman, is that during the time our great Nation was becoming great and strong, specific activities of our intelligence agencies were not made public.

Mr. Chairman, most of our debate today has been directed to this specific amendment, often referred to as the "first baby step." Mr. Chairman, this Congress has an obligation to be wary of

any first baby step in an issue of this sensitive nature unless we have a reasonable idea of where its sponsors are determined to lead us ultimately.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Texas (Mr. MAHON).

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. EDWARDS).

(Mr. EDWARDS of Alabama asked and was given permission to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Chairman, I have already spoken on this matter and feel strongly that it would be a terrible mistake to adopt this amendment. I urge the Members to vote against it.

Mr. Chairman, I yield the balance of my time to the chairman of the committee, the gentleman from Texas (Mr. MAHON). We are of like mind on this issue.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. MAHON) to close debate.

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

Mr. MAHON. Mr. Chairman, each year through the years representatives of the Congress have looked at the CIA budget in detail and have made certain reductions and suggestions from year to year. This year was no exception. Greater emphasis was placed on the matter this year than in previous years because of all the concern about the intelligence agencies and because of illegal actions by some of the people in the CIA.

We have deleted \$263 million in 1976 from the overall intelligence services of the Government, both the CIA and the Department of Defense—\$263 million. We deleted an additional \$31 million in the transition period. The Director of CIA has appealed to the Senate for a restoration of most of these funds.

The Committee on Appropriations must have done a good job because not one man has said that the figure was wrong, that it is too high or too low for the Central Intelligence Agency. The author of the amendment is in agreement that the sum is correct. So, we have done a good job there. The author of the amendment participated in the drafting of the legislation.

But, there have been illegalities, and we cannot condone them. How are we going to prevent illegality in the executive branch of the Government? It is going to be up to the President, up to the head of the Central Intelligence Agency, whoever may be there through the years, to try to get good administration and prevent instances of errors and wrongdoing. There is no way in which Congress can oversee the activities of every one of the millions of employees in this executive branch.

So, it seems to me that since we have the information which the Members need; since we have done a good job in reducing the request, there is no use in publishing to the whole wide world just what we are doing. This is not a favor which we should grant to the U.S.S.R. and the Communist conspiracy.

Mr. Chairman, I urge that the Members vote down this amendment by a resounding vote of no.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. GLADIO).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. GLADIO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 147, noes 267, not voting 19, as follows:

[Roll No. 567]

AYES—147

| | | |
|-----------------|-----------------|----------------|
| Abzug | Gude | Nolan |
| Adams | Hamilton | Oberstar |
| Addabbo | Hannaford | Obey |
| Ambro | Harkin | Patterson, |
| Anderson, | Harrington | Calif. |
| Calif. | Harris | Pattison, N.Y. |
| Andrews, N.C. | Hawkins | Pertkins |
| Aspin | Hayes, Ind. | Pike |
| Badillo | Hechler, W. Va. | Preyer |
| Baldus | Hefner | Rangel |
| Baucus | Heitstoski | Reuss |
| Beard, R.I. | Holtzman | Richmond |
| Bedell | Horton | Riegle |
| Bergland | Howard | Rodino |
| Bieber | Howe | Roe |
| Bingham | Hunzate | Roncallo |
| Blanchard | Jacobs | Rosenthal |
| Blouin | Jordan | Roush |
| Boiling | Karh | Roybal |
| Bonker | Kastenmeier | Ryan |
| Brodhead | Keys | St. Germain |
| Burke, Calif. | Koch | Sarbanes |
| Burton, John | Krebs | Schauer |
| Burton, Philip | Krueger | Schroeder |
| Carney | Legett | Seiberling |
| Carr | Lehman | Sharp |
| Chisholm | Linton | Shipley |
| Clay | Lloyd, Calif. | Simon |
| Collins, Ill. | Long, Md. | Soiarz |
| Conyers | McHugh | Spellman |
| Corman | McKinney | Stanton, |
| Cornell | Madden | James V. |
| Cotter | Maguire | Stark |
| Dellums | Mazloil | Stokes |
| Dodd | Meeds | Studds |
| Downey, N.Y. | Meicher | Symington |
| Drinan | Metcalfe | Thompson |
| Early | Meyner | Traxler |
| Eckhardt | Mezvisky | Tsongas |
| Edgar | Muller, Calif. | Udall |
| Edwards, Calif. | Mineta | Vander Veen |
| Evans, Colo. | Mink | Vank |
| Fasell | Mitchell, Md. | Waxman |
| Fletcher | Moakley | Weaver |
| Florio | Moffatt | Whalen |
| Ford, Mich. | Moorhead, Pa. | Wilson, Tex. |
| Glamo | Mosher | Wirth |
| Gibbons | Moss | Wolfe |
| Green | Motti | Yates |
| | Natcher | Young, Ga. |

NOES—267

| | | |
|----------------|----------------|---------------|
| Abdnor | Broyhill | Danielson |
| Alexander | Buchanan | Davis |
| Anderson, Ill. | Burgess | de la Garza |
| Andrews, | Burke, Mass. | DeLoach |
| N. Dak. | Burleson, Tex. | Dent |
| Annuozio | Burton, Mo. | Derrick |
| Archer | Butler | Derwinski |
| Armstrong | Byron | Devine |
| Ashbrook | Carter | Dickinson |
| Ashley | Casey | Downing, Va. |
| Bafalis | Cederberg | Duncan, Oreg. |
| Bartett | Chappell | Duncan, Tenn. |
| Bauman | Ciancy | du Pont |
| Beard, Tenn. | Clausen, | Edwards, Ala. |
| Bell | Don H. | Ehlers |
| Bennett | Clawson, Del. | Emery |
| Bever | Cleveland | Enghs |
| Blaggi | Coccarin | Estabrook |
| Boggs | Cohen | Esch |
| Boiland | Collins, Tex. | Fahsman |
| Bowen | Conable | Evans, Ind. |
| Breaux | Conlan | Evins, Tenn. |
| Breckinridge | Conte | Fenwick |
| Brinkley | Coughlin | Fish |
| Brooks | Crane | Fitchman |
| Broomfield | D'Amours | Flood |
| Brown, Calif. | Daniel, Dan | Flowers |
| Brown, Mich. | Daniel, R. W. | Flynt |
| Brown, Ohio | Daniels, N.J. | Foley |

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| | | |
|-----------------|----------------|---------------|
| Ford, Tenn. | Lott | Robinson |
| Forsythe | Lujan | Royers |
| Fountain | McClary | Rosen |
| Frankel | McCloskey | Rostenkowski |
| | McCollister | Roussell |
| | McCormack | Runnels |
| | McDade | Ruppe |
| | McDonald | Russo |
| Gelman | McEwen | Sarasin |
| Goldwater | McFall | Satterfield |
| Gonzales | McKay | Scheweel |
| Goodling | Madigan | Schultz |
| Gradison | Mahon | Sebellus |
| Grassley | Mann | Shriver |
| Guyer | Martinez | Shuster |
| Hagedorn | Mathis | Sikes |
| Haley | Matsunaga | Skubitz |
| Hall | Michel | Slack |
| Hammer- | Millard | Smith, Iowa |
| schmidt | Miller, Ohio | Smith, Nebr. |
| Hanley | Mills | Snyder |
| Hansen | Minish | Spence |
| Harsha | Mitchell, N.Y. | Stagers |
| Hastings | Molloy | Stanton |
| Hays, Ohio | Montgomery | J. William |
| Heckler, Mass. | Moore | Steed |
| Heins | Moorhead | Steelman |
| Henderson | Neal | Steiger, Wis. |
| Hicks | Neftci | Stephens |
| Hightower | Nichols | Stratton |
| Hillis | Nix | Stuckey |
| Hinsaw | Nowak | Sullivan |
| Holland | O'Brien | Symms |
| Holt | O'Neill | Talcott |
| Hubbard | Ottenger | Taylor, Mo. |
| Hughes | Passman | Taylor, N.C. |
| Hutchinson | Patman, Tex. | Thone |
| Hyde | Patten, N.J. | Thornton |
| Ichord | Pepper | Treen |
| Jarman | Pettis | Ullman |
| Jeffords | Peyser | Van Deelen |
| Jeanette | Pickle | Vigortio |
| Johnson, Calif. | Poage | Waggonner |
| Johnson, Colo. | Pressler | Walsh |
| Johnson, Pa. | Price | Wampler |
| Jones, Ala. | Pritchard | White |
| Jones, N.C. | Quie | Whitehurst |
| Jones, Okla. | Quillen | Whitten |
| Jones, Tenn. | Rallsback | Wiggins |
| Kasten | Randall | Wilson, C.H. |
| Kazen | Rees | Winn |
| Kelly | Regula | Wright |
| Kemp | Rhodes | Wyder |
| Kinchum | Rinaldo | Wyllie |
| Kinross | Rosenbloom | Yatron |
| LaFalce | Roberts | Young, Alaska |
| Lagomarsino | | Young, Fla. |
| Landrum | | Young, Tex. |
| Latta | | Zablocki |
| Lent | | Zeleznik |
| Levitas | | |
| Lloyd, Tenn. | | |
| Long, La. | | |

NOT VOTING—19

| | | |
|-------------|--------------|----------------|
| AuCoin | Ginn | Slax |
| Brademas | Hebert | Steiger, Ariz. |
| Burke, Fla. | Macdonald | Teague |
| Diggs | Mikva | Vander Jagt |
| Dingell | Murphy, N.Y. | Wilson, Bob |
| Fary | O'Hara | |
| Fraser | Santini | |

The Clerk announced the following pairs:

On this vote:

Mr. Brademas for, with Mr. Hebert against.
Mr. Diggs for, with Mr. AuCoin against.
Mr. Mikva for, with Mr. Murphy of New York against.

Messrs. HALL and DICKINSON changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law: \$3,600,000, to remain available for obligation until September 30, 1977.

AMENDMENTS OFFERED BY MR. CHAPPELL

Mr. CHAPPELL. Mr. Chairman, I offer two amendments and I ask unanimous

consent that they may be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. CHAPPELL on page 31, line 10, strike out "\$31,435,000" and insert in lieu thereof the following: "\$3,092,150,000".

And on page 31, line 14, strike out "\$301,419,000" and insert in lieu thereof the following: "\$798,119,000".

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. STRATTON. Mr. Chairman, I reserve a point of order against this amendment.

The CHAIRMAN. The gentleman from New York (Mr. STRATTON) reserves a point of order.

(By unanimous consent, Mr. CHAPPELL was allowed to proceed for 5 additional minutes.)

Mr. CHAPPELL. Mr. Chairman, this is a very simple, noncontroversial amendment which I have proposed to the appropriations bill. I want to say at the beginning I do not know where the F-13 was conceived—whether it was on a wild-goose hunt or not—but I do feel the presently proposed F-13 program will put us on a wild-goose chase.

The amendment to the bill which we propose here simply strikes from the appropriations bill \$58.2 million. It leaves in the bill the \$64.2 million for engine development. I emphasize that there is no intent by this amendment to stop the Navy light fighter program. It is intended to keep the engine development going, if this should be adopted. This is in no wise intended to kill the lightweight fighter program. I feel, as a number of others feel, however, that we have not explored all of the alternatives that ought to be considered before we embark on this kind of a program.

The Members are asked by this appropriation to provide these moneys, which are going to amount to some \$4.2 billion in new programming between now and 1981—\$4.2 billion in new programming.

Let me emphasize also that this airplane, the F-18, is a paper airplane. It has never flown. There have never been any hearings in the House on this particular airplane. We have heard every kind of figure imaginable from all kinds of sources on the cost of the F-13 as compared to the program which is set forth as the alternative by the Navy in the record which has been before the various committees.

I have before the Members here the proposed alternatives to which the Navy addresses itself in the development of the F-13 program. I would like to have the Members understand that this is the Navy program, and all of the computations which I have made relate to the Navy program. We have accepted, even though we did not agree with them, the Navy's figures, except in one instance. That is where they put forth the figure of the 13.2, which is rolled into this figure, as opposed to the 11.1 which we have rolled into the computation as to the cost of the F-14. The reason is that the charts which the Navy itself gave to us in the committee reflect that the 11-

point figure is the proper figure and that the 13-point figure is the one which takes into account the total program on the F-14 including R. & D.

The question arises here how much capability can we buy from this moment on? How much capability can we buy from this moment on? In the F-14 program we have already spent the R. & D. That is behind us.

The F-14 is in production. The F-13 is strictly a paper program. This chart as we see it now rolls into it the total cost of the F-14. This obviously is incorrect since all R.D.T. & E. is behind us with the F-14. But even if we take the Navy's figures on this and add into it the main component and that was omitted in this chart, the two lines representing the respective costs of the alternative programs never cross in the applicable time frame. That factor is the cost of the investment of the F-13. Why the Navy left it out I do not know.

The Navy has posed two alternatives and they show these figures:

Alternate 1 calls for 744 F-14 aircraft and 450 A-7 aircraft. Alternate 2 calls for 224 F-14's, 202 A-7's, and 806 F-18's.

Keep in mind these are the programs to be compared. When we roll into the formula the cost of the investment money, as is required by the Department of Defense and by the Navy itself, we find the lines on these two programs will not cross until way out beyond the year 2000.

What does this mean to us? It means if we take the same base, the same cost periods, the same number of aircraft produced on the same schedule, we can buy more F-14's and A-7's than we can the same force of F-18's. The principal reason they do not cross is that the saving cost on the F-13 exceeds the cost of investment money required. That is the difference between the cost of the two programs until they finally meet out sometime in the future.

Mr. BURLISON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. CHAPPELL. I yield to the gentleman from Missouri.

Mr. BURLISON of Missouri. Mr. Chairman, these figures the gentleman is using are not life cycle costs, are they?

Mr. CHAPPELL. These are the figures the Navy uses and these include the cost. When we say life cycle we have to understand what we are talking about. It would not be proper to take the total life cycle of the F-14 into account because the research and development has already been done.

Mr. BURLISON of Missouri. Since the gentleman's figures do not use life cycle cost, that does not take into account 40-percent savings in operation and maintenance of the F-13.

Mr. CHAPPELL. Yes, sir. Every savings the Navy has computed is written into this chart.

Mr. Chairman, I will not yield further at this point.

It should be obvious then that if F-14's can be purchased for less than F-18's, out through the 1980's and 1990's, we will be smarter to take the F-14's and A-7's, and sometimes at a later date develop the attack aircraft, which is really the problem?

Appendix 8

§ 403f

TITLE 50.—WAR AND NATIONAL DEFENSE

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time of appointment to places of employment and return to their actual residences at the time of appointment or a point not more distant: *Provided*, That such appointees agree in writing to remain with the United States Government for a period of not less than twelve months from the time of appointment.

Violation of such agreement for personal convenience of an employee or because of separation for misconduct will bar such return payments and, if determined by the Director or his designee to be in the best interests of the United States, any money expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.

(June 20, 1949, ch. 227, § 4, formerly § 5, 63 Stat. 209, renumbered July 7, 1958, Pub. L. 85-507, § 21(b)(2), 72 Stat. 337, and amended Sept. 9 1960, Pub. L. 86-707, title III, §§ 301(b), 323, title V, § 511 (a) (3), (c) (2)—(5), 74 Stat. 795, 798, 800, 801.)

CODIFICATION

Section was not enacted as a part of the National Security Act of 1947 which comprises this chapter.

AMENDMENTS

1960—Pub. L. 86-707, § 323(a), substituted "duty stations outside the several States of the United States of America, excluding Alaska and Hawaii, but including the District of Columbia" for "permanent-duty stations outside the continental United States, its territories, and possessions" in the opening provisions, and eliminated the designation subsec. (a).

Par. (1)(A). Pub. L. 86-707, § 511(c)(2), substituted "pursuant to authorized home leave" for "pursuant to orders issued by the Director in accordance with the provisions of subsection (a)(3) of this section with regard to the granting of home leave."

Par. (1)(D). Pub. L. 86-707, § 301(b), authorized payment of the cost of packing and unpacking and transporting to and from a place of storage, extended the authority to pay storage costs for an officer or employee assigned to a post to which he cannot take or at which he is unable to use his furniture and household personal effects by eliminating provisions which restricted such payment only to cases where an emergency exists, empowered the Director to pay storage costs when it is in the public interest or more economical to authorize storage, and limited the weight or volume of the effects stored or the weight or volume of the effects transported to not more than the maximum limitations fixed by regulations, when not otherwise fixed by law.

Par. (1)(E). Pub. L. 86-707, § 301(b), authorized payment of the cost of packing and unpacking and transporting to and from a place of storage, permitted payment from the date of departure from the officer's or employee's last post or from the date of departure from the place of residence in the case of a new officer or employee, empowered the Director to pay the storage costs in connection with the separation of an officer or employee from the Agency, and limited the weight or volume of the effects stored or the weight or volume of the effects transported to not more than the maximum limitations fixed by regulations, when not otherwise fixed by law.

Par. (3)(A). Pub. L. 86-707, § 511(c)(3), substituted "to any of the several States of the United States of America (including the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States) on leave of absence each officer or employee of the Agency who was a resident of the United States (as described above) at time of employment, upon completion of two years' continuous service abroad, or as soon as possible thereafter" for "to the United States or its Territories and possessions of leave provided for in sections 30-30b of Title 5, or as such sections may hereafter be amended, every officer and employee of the agency who was a resident of the

United States or its Territories and possessions at time of employment, upon completion of two years' continuous service abroad, or as soon as possible thereafter: *Provided*, That such officer or employee has accrued to his credit at the time of such order, annual leave sufficient to carry him in a pay status while in the United States for at least a thirty-day period."

Par. (3)(B). Pub. L. 86-707, § 511(c)(4), substituted "United States (as described in paragraph (3)(A) of this section) on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere as the Director may prescribe" for "continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work."

Par. (3)(C). Pub. L. 86-707, § 511(c)(5), substituted "returns to the United States (as described in paragraph (3)(A) of this section)" for "returns to the United States or its Territories and possessions", and "from the United States (as so described)" for "from the United States or its Territories and possessions."

Par. (4). Pub. L. 86-707, § 323(b), limited the transportation of motor vehicles to one for any officer or employee during any four-year period, and empowered the Director to approve the transportation of one additional motor vehicle for replacement either during the four-year period or after the expiration of four years following the date of transportation of a motor vehicle of any officer or employee who has remained in continuous service outside the several States, excluding Alaska and Hawaii, but including the District of Columbia, for such period.

Pub. L. 86-707, § 511(a)(3), repealed former subsec. (b), which authorized the Director to grant allowances in accordance with the provisions of section 1131 (1), (2) of Title 22, and is now covered by pars. (1)(D) and (1)(E) of this section.

CLARIFICATION OF TERM "FURNITURE AND HOUSEHOLD AND PERSONAL EFFECTS"

For clarification of the term "furniture and household and personal effects" as used in the amendment of pars. (1)(D) and (1)(E) of this section by Pub. L. 86-707, see section 301(d) of Pub. L. 86-707, set out as a note under section 1136 of Title 22, Foreign Relations and Intercourse.

EX. ORD. NO. 10100. REGULATIONS GOVERNING GRANTING OF ALLOWANCES

Ex. Ord. No. 10100, Jan. 28, 1950, 15 F. R. 499, provided:

By virtue of and pursuant to the authority vested in me by section 5 (b) of the Central Intelligence Agency Act of 1949, approved June 20, 1949 (Public Law 110, 81st Congress) [this section], and as President of the United States, I hereby prescribe the following regulations:

1. The allowances granted by the Director of Central Intelligence under section 5 (b) of the Central Intelligence Agency Act of 1949 [this section] shall conform to the allowances granted by the Secretary of State in accordance with the regulations prescribed by him pursuant to section 901 (1) and 901 (2) of the Foreign Service Act of 1946 [section 1131 (1) and (2) of Title 22] and Executive Order No. 10011 of October 22, 1948, as to places or cities with respect to which such regulations are applicable; and as to places or cities with respect to which such regulations are not applicable, the allowances granted by the Director shall conform, so far as practicable, to the general standards and rates contained in the said regulations of the Secretary of State.

2. The Director of Central Intelligence may prescribe such further regulations as he may deem necessary to effectuate the purposes of this order.

3. This order shall be effective as of June 20, 1949.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 403a, 403f of this title and title 5 sections 5363 and 5727.

§ 403f. Same; general authorities of Agency.

In the performance of its functions, the Central Intelligence Agency is authorized to—

§ 403h

TITLE 50.—WAR AND NATIONAL DEFENSE

Page 12195

(a) Transfer to and receive from other Government agencies such sums as may be approved by the Office of Management and Budget, for the performance of any of the functions or activities authorized under sections 403 and 405 of this title, and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of sections 403a to 403c, 403e to 403h, and 403j of this title without regard to limitations of appropriations from which transferred;

(b) Exchange funds without regard to section 543 of Title 31;

(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(d) Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;

(e) Make alterations, improvements, and repairs on premises rented by the Agency, and pay rent therefor without regard to limitations on expenditures contained in the Act of June 30, 1932, as amended: *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful performance of the Agency's functions or to the security of its activities. (June 20, 1949, ch. 227, § 5, formerly § 6, 63 Stat. 211; June 26, 1951, ch. 151, 65 Stat. 89; renumbered July 7, 1958, Pub. L. 85-507, § 21(b) (2), 72 Stat. 337, and amended Aug. 19, 1964, Pub. L. 88-448, title IV, § 402 (a) (28), 78 Stat. 494; 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. —.)

REFERENCES IN TEXT

The act of June 30, 1932, as amended, referred to in subsec. (e), is the Legislative Branch Appropriation Act, 1933, act June 30, 1932, ch. 314, 47 Stat. 382, and is classified to section 303b of Title 40, Public Buildings, Property, and Works.

CODIFICATION

Section was not enacted as a part of the National Security Act of 1947 which comprises this chapter.

AMENDMENTS

1964—Subsec. (f). Pub. L. 88-448 repealed subsec. (f), which authorized the employment of not more than fifteen retired officers who must elect between civilian salary and retired pay. See section 3101 et seq. of Title 5, Executive Departments and Government Officers and Employees.

1951—Subsec. (f). Act June 26, 1951, added subsec. (f).

CHANGE OF NAME

The Bureau of the Budget was designated the Office of Management and Budget and the offices of Director of the Bureau of the Budget, Deputy Director of the Bureau of the Budget, and Assistant Directors of the Bureau of the Budget were designated Director of the Office of Management and Budget, Deputy Director of the Office of Management and Budget, and Assistant Directors of the Office of Management and Budget, respectively, by Reorg. Plan No. 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees, which also transferred all records, property, personnel, and funds of the Bureau to the Office of Management and Budget.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment of section by Pub. L. 88-448 effective on the first day of the first month which begins later than the ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88-448.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 403a, 403e of this title and title 5 section 5363.

§ 403g. Same; protection of nature of Agency's functions.

In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 403 (d) (3) of this title that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of section 654 of Title 5, and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Office of Management and Budget shall make no reports to the Congress in connection with the Agency under section 947(b) of Title 5. (June 20, 1949, ch. 227, § 6, formerly § 7, 63 Stat. 211, renumbered July 7, 1958, Pub. L. 85-507, § 21(b) (2), 72 Stat. 337; 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. —.)

REFERENCES IN TEXT

Sections 654 and 947(b) of Title 5, referred to in the text, were repealed, respectively, by act Sept. 12, 1950, ch. 946, title III, § 301(85), 64 Stat. 843, and Pub. L. 86-626, title I, § 101, July 12, 1960, 74 Stat. 427.

CODIFICATION

Section was not enacted as a part of the National Security Act of 1947 which comprises this chapter.

CHANGE OF NAME

The Bureau of the Budget was designated the Office of Management and Budget and the offices of Director of the Bureau of the Budget, Deputy Director of the Bureau of the Budget, and Assistant Directors of the Bureau of the Budget were designated Director of the Office of Management and Budget, Deputy Director of the Office of Management and Budget, and Assistant Directors of the Office of Management and Budget, respectively, by Reorg. Plan No. 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees, which also transferred all records, property, personnel, and funds of the Bureau to the Office of Management and Budget.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 403a, 403e, 403f of this title and title 5 section 5363.

§ 403h. Same; admission of essential aliens; limitation on number.

Whenever the Director, the Attorney General, and the Commissioner of Immigration shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering

Appendix 9



Public Law 93-437
93rd Congress, H. R. 16243
October 8, 1974

An Act

Making appropriations for the Department of Defense for the fiscal year ending June 30, 1975, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1975, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of
Defense Appo-
riation Act,
1975.

89 STAT. 1212
89 STAT. 1213

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere); \$7,780,263,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; \$5,679,810,000.

MILITARY PERSONNEL, NAVY, 1969, 1971

(Liquidation of Deficiencies)

For an additional amount for "Military personnel, Navy" for fiscal year 1969, \$7,976,000; and fiscal year 1971, \$35,380,000; for liquidation of obligations incurred and chargeable to those accounts: *Provided*, That the fiscal years 1971 and 1973 Military personnel, Navy accounts shall be adjusted to reflect all payments authorized by Public Law 92-570 on behalf of the fiscal year 1971 account.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); \$1,695,456,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of tem-

October 3, 1974

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Pub. Law 93-437

§§ 3529, 1931

Sec. 834. During the current fiscal year upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$750,000,000 of the appropriations or funds available to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated, and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority.

transfer of funds.

notice to Congress.

Sec. 835. None of the funds appropriated in this Act may be used to make payments under contracts for any program, project, or activity in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

contract payments in foreign countries.

Sec. 836. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2203 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget.

Working capital funds.

Sec. 837. No part of the funds appropriated under this Act shall be used to pay salaries of any Federal employee who is convicted in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned.

Convicted rioters.

Sec. 838. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass, or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies.

Campus disrupters.

Sec. 839. None of the funds herein appropriated may be obligated or expended to finance directly or indirectly combat activities by United States military forces in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia.

Vietnam, Laos, or Cambodia, combat activities.

Sec. 840. None of the funds available to the Department of Defense shall be utilized for the conversion of heating plants from coal to oil at defense facilities in Europe.

Heating plant conversion.

Sec. 841. None of the funds appropriated by this Act shall be available for any research involving uninformed or nonvoluntary human beings as experimental subjects.

Involuntary experimental subjects.

Sec. 842. Appropriations for the current fiscal year for operation and maintenance of the active forces shall be available for medical